

# Executive Order

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Tuesday  
November 28, 1995

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## Part X

### Department of the Interior

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#### Semiannual Regulatory Agenda

## DEPARTMENT OF THE INTERIOR (DOI)

## DEPARTMENT OF THE INTERIOR

## Office of the Secretary

## 25 CFR Ch. I

## 30 CFR Chs. II and VII

## 36 CFR Ch. I

## 43 CFR Subtitle A, Chs. I and II

## 48 CFR Ch. 14

## 50 CFR Chs. I and IV

Semiannual Agenda of Rules  
Scheduled for Review or Development

AGENCY: Office of the Secretary, Interior.

ACTION: Semiannual agenda of rules  
scheduled for review or development.SUMMARY: This notice provides the  
semiannual agenda of rules scheduled  
for review or development betweenOctober 1995 and April 1996. An  
agenda is required by the Regulatory  
Flexibility Act and Executive Order  
12866.ADDRESSES: Unless otherwise indicated,  
all agency contacts are located at the  
Department of the Interior, 1849 C Street  
NW., Washington, DC 20240.FOR FURTHER INFORMATION CONTACT: All  
comments and inquiries with regard to  
these rules should be directed to the  
appropriate agency contact. General  
comments relating to the agenda should  
be directed to the Office of Regulatory  
Affairs, Department of the Interior, at  
the address above or on 202-208-5271.SUPPLEMENTARY INFORMATION: With this  
publication, the Department satisfies the  
requirement of Executive Order 12866  
that the Department publish an agenda  
of rules that have been issued or are  
expected to be issued and of currently  
effective rules that are scheduled for  
review.Simultaneously, the Department  
meets the requirement of the Regulatory  
Flexibility Act (5 U.S.C. 601 *et seq.*) that  
an agenda be published in April and  
October of each year identifying rules  
that will have significant economic  
effects on a substantial number of small  
entities. Rules that will have such  
effects are specifically identified in the  
agenda.For this edition of the Department's  
regulatory agenda, the most important  
significant regulatory actions are  
included in The Regulatory Plan, which  
appears in Part II of today's Federal  
Register. The Regulatory Plan entries  
are listed in the Table of Contents below  
and are denoted by a bracketed bold  
reference that directs the reader to the  
appropriate Sequence Number in Part II.

Dated: September 15, 1995.

Richard A. Stephan,

Federal Register Liaison Officer.

## Assistant Secretary for Policy, Management and Budget—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1573	Principles of Ethical Conduct .....	1090-AA38

## Assistant Secretary for Policy, Management and Budget—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1574	Natural Resource Damage Assessments; Type A—Great Lakes Environments ( <b>Reg Plan Seq. No. 58</b> ) .....	1090-AA21
1575	Natural Resource Damage Assessments; Type A—Coastal and Marine Environments ( <b>Reg Plan Seq. No. 59</b> ) .....	1090-AA23
1576	Revised Statute 2477 Rights-of-Way .....	1090-AA44
1577	Protection for Products of Indian Art and Craftsmanship .....	1090-AA45
1578	Department of the Interior Acquisition Regulation—Conflicts of Interest .....	1090-AA54
1579	Department of the Interior Acquisition Regulation—Foreign Acquisitions .....	1090-AA55

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Assistant Secretary for Policy, Management and Budget—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1580	Natural Resource Damage Assessments; Type B—Biennial Review .....	1090-AA29
1581	Natural Resource Damage Assessments; Type B—Nonuse Values .....	1090-AA43
1582	Natural Resource Damage Assessments; Additional Type A Procedures .....	1090-AA51

**DOI****Assistant Secretary for Policy, Management and Budget—Completed Actions**

Sequence Number	Title	Regulation Identifier Number
1583	Department of the Interior Acquisition Regulations .....	1090-AA50
1584	Department of Interior Acquisition Regulation .....	1090-AA52
1585	Interior Property Management Regulations .....	1090-AA53

**Office of the Solicitor—Long-Term Actions**

Sequence Number	Title	Regulation Identifier Number
1586	Subpart E—Compulsory Process and Testimony of Employees .....	1092-AA09

**Office for Equal Opportunity—Proposed Rule Stage**

Sequence Number	Title	Regulation Identifier Number
1587	Requirements for Equal Opportunity During Construction and Operation of the Alaska Natural Gas Transportation System .....	1091-AA04
1588	Nondiscrimination in Activities Conducted under Permits, Rights-of-Way, Public Land Orders, and Other Federal Authorizations Granted or Leased under P.L. 93-153 .....	1091-AA05

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1590	Rules Applicable to Indian Affairs Hearings and Appeals .....	1094-AA46
1591	General Rules Applicable to Proceedings on Appeal Before the Interior Board of Indian Appeals .....	1094-AA47

**Office of Hearings and Appeals—Final Rule Stage**

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1592	Rules Applicable in Indian Affairs Hearings and Appeals .....	1094-AA39

**Office of Hearings and Appeals—Long-Term Actions**

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1593	Notice of Interim Alternative Dispute Resolution and Opportunity for Comment .....	1094-AA45

**United States Fish and Wildlife Service—Prerule Stage**

Sequence Number	Title	Regulation Identifier Number
1594	Export of Ginseng Harvested in Washington State In 1995-97 .....	1018-AD54
1595	Transport of Marine Mammals Held for Public Display .....	1018-AD56

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## United States Fish and Wildlife Service—Proposed Rule Stage

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1596	Clean Vessel Act National Pumpout Symbol .....	1018-AC67
1597	Migratory Bird Hunting and Migratory Bird Permits .....	1018-AC69
1598	Export Finding for Bobcats, Lynx, and River Otters Harvested in 1994 and Subsequent Seasons .....	1018-AC70
1599	Seizure and Forfeiture Procedures .....	1018-AC89
1600	Importation of Polar Bear Trophies Taken in Canada .....	1018-AD04
1601	Endangered and Threatened Wildlife and Plants: U.S. Populations of Atlantic Salmon .....	1018-AD12
1602	Addition of Deep Fork National Wildlife Refuge to the List of Open Areas for Sport Fishing in Oklahoma .....	1018-AD27
1603	Endangered Species Listing: Three Aquatic Invertebrates in Comal and Hays Counties, Texas .....	1018-AD28
1604	Endangered and Threatened Wildlife and Plants: Establishment of Nonessential Experimental Population of Black-Footed Ferrets in Arizona .....	1018-AD29
1605	Public Use Regulations for Alaska Peninsula/Becharof National Wildlife Refuge Complex .....	1018-AD30
1606	Conferring Designated Port Status on Atlanta, GA .....	1018-AD33
1607	Subsistence Management Regulations for Public Lands in Alaska—Subparts C and D—1996-1997 Subsistence Taking of Fish and Wildlife Regulations .....	1018-AD42
1608	Addition of Ohio River National Wildlife Refuge to the List of Open Areas for Fishing in West Virginia .....	1018-AD43
1609	Addition of Great Bay National Wildlife Refuge to the List of Open Areas for Hunting in New Hampshire .....	1018-AD44
1610	Endangered and Threatened Wildlife and Plants: 25 Plants from Oahu, Hawaii .....	1018-AD50
1611	Endangered Species Listing Two Texas Plants .....	1018-AD51
1612	Endangered Species Listing: Guajoa or Rock Frog .....	1018-AD52
1613	Captive Bred Wildlife Registration Under the Endangered Species Act .....	1018-AD53
1614	Convention on International Trade in Endangered Species (CITES) .....	1018-AD55
1615	General Authorization to Conduct Bonafide Scientific Research Resulting Only in Level B Harassment of Marine Mammals .....	1018-AD57
1616	Endangered and Threatened Wildlife and Plants: Fourteen Plants from the Hawaiian Islands .....	1018-AD58
1617	Endangered and Threatened Wildlife and Plants: Four Plants from Interior Chaparral of Southwestern California and Northwestern Baja California, Mexico .....	1018-AD60

## United States Fish and Wildlife Service—Final Rule Stage

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1620	List of Migratory Birds .....	1018-AB72
1621	Eagle Permits .....	1018-AB81
1622	Endangered and Threatened Wildlife and Plants .....	1018-AB83
1623	Alaska Refuges Visitor Services .....	1018-AC02
1624	Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Changes to the Appendices .....	1018-AC78
1625	Endangered and Threatened Wildlife and Plants: Brother's Island Tuatara .....	1018-AD06
1626	Endangered and Threatened Wildlife and Plants: Critical Habitat Designation for the Western Snowy Plover .....	1018-AD10

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1628	Proposed Determination of Experimental Population Status for an Introduced Population of Colorado Squawfish ....	1018-AB09
1629	Captive-Bred Wildlife .....	1018-AB10
1630	Endangered and Threatened Wildlife and Plants .....	1018-AB52
1631	The National Coastal Wetland Conservation Grant Program .....	1018-AB68
1632	Endangered and Threatened Wildlife and Plants .....	1018-AB73
1633	Endangered and Threatened Wildlife and Plants .....	1018-AB75
1634	Endangered and Threatened Wildlife and Plants .....	1018-AB88
1635	Endangered and Threatened Wildlife and Plants .....	1018-AB97

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## United States Fish and Wildlife Service—Long-Term Actions (Continued)

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1637	Endangered and Threatened Wildlife and Plants .....	1018-AC01
1638	Endangered and Threatened Wildlife and Plants: Three Puerto Rican Trees .....	1018-AC04
1639	Humane and Healthful Transport Regulations .....	1018-AC08
1640	Endangered and Threatened Wildlife and Plants: Flat-Tailed Horned Lizard .....	1018-AC10
1641	Endangered and Threatened Wildlife and Plants: San Xavier Talussnail .....	1018-AC13
1642	Endangered and Threatened Wildlife and Plants; Reclassification of the Loch Lomond Coyote Thistle .....	1018-AC14
1643	Endangered and Threatened Wildlife and Plants: Critical Habitat for the Pecos Pupfish .....	1018-AC18
1644	Endangered and Threatened Wildlife and Plants: Alaska Breeding Population of the Steller's Eiders .....	1018-AC19
1645	Endangered and Threatened Wildlife and Plants: Parish's Alkali Grass .....	1018-AC21
1646	Endangered and Threatened Wildlife and Plants: Barton Springs Salamander .....	1018-AC22
1647	Endangered and Threatened Species: Sacramento Splittail .....	1018-AC26
1648	Incidental Take Provisions for Endangered and Threatened Migratory Birds .....	1018-AC29
1649	Reclassifications of Some Populations of Saltwater Crocodiles With Special Rule for Saltwater and Nile Crocodiles .....	1018-AC30
1650	Endangered and Threatened Wildlife and Plants: Two California Butterflies and a Snake .....	1018-AC32
1651	Marbled Murrelet Critical Habitat Designation .....	1018-AC33
1652	Endangered and Threatened Wildlife and Plants: California Red-Legged Frog .....	1018-AC34
1653	Endangered and Threatened Wildlife and Plants: Spring Creek Bladderpod .....	1018-AC42
1654	Rights-of-Way Management on National Wildlife Refuges .....	1018-AC45
1655	Endangered and Threatened Wildlife and Plants: Five California Sierran Foothills Plants .....	1018-AC47
1656	Endangered and Threatened Wildlife and Plants: Golden Paintbrush .....	1018-AC52
1657	Endangered and Threatened Wildlife and Plants: Virgin Spinedace .....	1018-AC53
1658	Endangered and Threatened Wildlife and Plants: Intercross Progeny Policy and Definitions .....	1018-AC54
1659	Export of American Ginseng Harvested in 1994-1996 .....	1018-AC55
1660	Endangered and Threatened Wildlife and Plants: Delissea Undulata (No Common Name (NCN)) .....	1018-AC56
1661	General Provisions and General Permit Procedures .....	1018-AC57
1662	Endangered and Threatened Wildlife and Plants: Jaguar .....	1018-AC61
1663	Endangered and Threatened Wildlife and Plants: Arkansas River Shiner .....	1018-AC62
1664	Endangered and Threatened Wildlife and Plants: Seven Freshwater Mussels from Alabama, Florida, and Georgia .....	1018-AC63
1665	Endangered and Threatened Wildlife and Plants: Five Freshwater Mussels .....	1018-AC64
1666	Endangered and Threatened Wildlife and Plants: Two Plants From Southwestern California .....	1018-AC65
1667	Marine Mammal Protection Act Amendments of 1994 .....	1018-AC68
1668	Endangered and Threatened Wildlife and Plants: Maguire Daisy .....	1018-AC71
1669	Endangered and Threatened Wildlife and Plants: Eggert's Sunflower .....	1018-AC74
1670	Endangered and Threatened Wildlife and Plants: Armored Snail .....	1018-AC75
1671	Endangered and Threatened Wildlife and Plants: Tropical Butterflies .....	1018-AC76
1672	Endangered and Threatened Wildlife and Plants: Tropical Birds .....	1018-AC77
1673	Refuge-Specific Hunting and Fishing Regulations .....	1018-AC80
1674	Endangered and Threatened Wildlife and Plants: San Diego Fairy Shrimp .....	1018-AC83
1675	Endangered and Threatened Wildlife and Plants: Two California Butterflies .....	1018-AC84
1676	Endangered and Threatened Wildlife and Plants: Cactus Ferruginous Pygmy-Owl .....	1018-AC85
1677	Endangered and Threatened Wildlife and Plants: Four Southwestern California Plants .....	1018-AC88
1678	Critical Habitat Designation for the Lost River and Shortnose Suckers .....	1018-AC90
1679	Endangered and Threatened Wildlife and Plants: Least Chub .....	1018-AC91
1680	Endangered and Threatened Wildlife and Plants: Holmgren's Milkvetch and Shem's Milkvetch .....	1018-AC92
1681	Endangered and Threatened Wildlife and Plants: 4 California Plants from Vernal Pools .....	1018-AC96
1682	Emergency Reclassification of the Snake River Spring/Summer Chinook Salmon .....	1018-AC97
1683	Endangered and Threatened Wildlife and Plants: Two San Francisco Plants .....	1018-AC98
1684	Endangered and Threatened Wildlife and Plants: 10 Plants From the California Sierra Nevada Mountains Foothills .....	1018-AC99
1685	Revision of Migratory Bird Hunting Regulations, 50 CFR Part 20 .....	1018-AD01
1686	Endangered and Threatened Wildlife and Plants: Northern and Southern Populations of the Bog Turtle .....	1018-AD05
1687	Endangered and Threatened Wildlife and Plants: Reintroduction of a Nonessential Experimental Population of Mexican Wolves .....	1018-AD07
1688	Endangered and Threatened Wildlife and Plants: for California Plants and the Black Legless Lizard .....	1018-AD09
1689	Endangered and Threatened Wildlife and Plants: Three Southern Arizona Cienega Species .....	1018-AD11
1690	Endangered and Threatened Wildlife and Plants: Two San Francisco Marsh Plants .....	1018-AD14
1691	Marine Mammal Protection Act .....	1018-AD15
1692	Marine Mammal Protection Act; Lethal Take for Human Protection .....	1018-AD16

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1694	Marine Mammal Protection Act; Unintentional Take of Marine Mammals by Harassment Only in Activities Other Than Commercial Fishing .....	1018-AD18
1695	Marine Mammal Protection Act; Measures to Safely Deter Marine Mammals, Including Threatened and Endangered Marine Mammals .....	1018-AD19
1696	Endangered and Threatened Wildlife and Plants; Special Rule for the Northern Spotted Owl .....	1018-AD20
1697	Marine Mammals; Incidental Take During Specified Activities .....	1018-AD21
1698	Taxonomic Change From Subspecies to Vertebrate Population Segment for the Virgin River Chub .....	1018-AD22
1699	Critical Habitat Proposal for Virgin River Fishes .....	1018-AD23
1700	Endangered and Threatened Wildlife and Plants: Exemption of Small Private Landowners and Low Impact Activities From Endangered Species Act Requirements for Threatened Species .....	1018-AD24
1701	Endangered and Threatened Wildlife and Plants: Proposed Endangered Status for 13 Plants From the Island of Hawaii .....	1018-AD25
1702	Migratory Birds: Take Provisions for Bald Eagles .....	1018-AD26
1703	Addition of Ottawa National Wildlife Refuge to List of Open Areas for Big Game Hunting in Ohio .....	1018-AD31
1704	Proposed Joint Counterpart Endangered Species Act Section 7 Consultation Regulations .....	1018-AD32
1705	Seven Plants From the Mountains of Southern California .....	1018-AD34
1706	Endangered and Threatened Wildlife and Plants: Pallid Manzanita .....	1018-AD35
1707	Endangered and Threatened Wildlife and Plants: Nine Plants From California .....	1018-AD36
1708	Endangered and Threatened Wildlife and Plants: Three Plants From the Channel Islands of Southern California ....	1018-AD37
1709	Endangered and Threatened Wildlife and Plants: Four Southwestern California Plants .....	1018-AD38
1710	Endangered and Threatened Wildlife and Plants: Sixteen Plant Taxa From the Northern Channel Islands, California .....	1018-AD39
1711	Endangered and Threatened Wildlife and Plants: Designation of Experimental Nonessential Whooping Crane Populations .....	1018-AD45
1712	Endangered and Threatened Wildlife and Plants: Proposed Endangered or Threatened Status for 19 Plant Species From the Island of Kauai, Hawaii .....	1018-AD46
1713	Endangered Species Listing: Nogal or West Indian Walnut .....	1018-AD47
1714	Endangered Species Listing: Cordia Alliodora (No Common Name) .....	1018-AD48
1715	Endangered Species Listing: three Plants from Molokai, Hawaii .....	1018-AD49
1716	Endangered and Threatened Wildlife and Plants: 42 South American Birds .....	1018-AD59

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1718	Endangered and Threatened Wildlife and Plants .....	1018-AB56
1719	Release and Harvest of Captive-Bred Waterfowl .....	1018-AB77
1720	Migratory Bird Hunting: Hunting Regulations for Restriction of Shotshell Length and Maximum Shot Size .....	1018-AB80
1721	Endangered and Threatened Wildlife and Plants: Revision of the Special Rule for Nonessential Experimental Populations of Red Wolves in North Carolina and Tennessee .....	1018-AC03
1722	Policy on Health Certification for Translocation/Release of Animals under Service Jurisdiction .....	1018-AC40
1723	Endangered and Threatened Wildlife and Plants: Arabian Wolf .....	1018-AC43
1724	Endangered and Threatened Wildlife and Plants: Reclassification of the Bald Eagle .....	1018-AC48
1725	Closure of O'Malley River Area in Kodiak National Wildlife Refuge, Alaska .....	1018-AC49
1726	Endangered and Threatened Wildlife and Plants: Three California Insects .....	1018-AC50
1727	Importation of Exotic Wild Birds to the United States; Amendment of Final Rule Implementing the Wild Bird Conservation Act of 1992 .....	1018-AC51
1728	Export of American Alligators Taken in the 1995-97 Harvest Seasons .....	1018-AC72
1729	Migratory Bird Hunting .....	1018-AC79
1730	National Wildlife Refuges: Addition of Areas Open to Hunting and Fishing .....	1018-AC81
1731	Seasons and Bag Limits for Subsistence Management Regulations .....	1018-AC82
1732	Critical Habitat Designation for the Mexican Spotted Owl .....	1018-AD02
1733	Addition of Cape May National Wildlife Refuge to Areas Open to Hunting in New Jersey .....	1018-AD03
1734	Migratory Bird Harvest Information Program, 1995-96 Hunting Season .....	1018-AD08

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## United States Fish and Wildlife Service—Completed Actions (Continued)

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1736	Migratory Bird Hunting: Decision on the Conditional Approval of Bismuth-Tin Shot as Nontoxic for the 1995-1996 Season .....	1018-AD41

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1738	Minerals Management—Non-Federal Oil and Gas .....	1024-AB39
1739	National Park Service Symbols: United States Park Police Insignia .....	1024-AB94
1740	Rights-of-Way .....	1024-AC01
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1742	Rock Climbing .....	1024-AC13
1743	Yellowstone National Park—Special Revision .....	1024-AC18
1744	General Regulations for Areas Administered by the National Park Service .....	1024-AC21
1745	Glacier Bay: Regulation Applicability .....	1024-AC22
1746	Voyageurs National Park: Aircraft Operations .....	1024-AC23
1747	Conveyance of Freehold and Leasehold Interests .....	1024-AC27
1748	Badlands National Park—Commercial Vehicles .....	1024-AC30
1749	Shenandoah National Park: Backcountry and Fishing Regulations .....	1024-AC33
1750	Grand Teton National Park and John D. Rockefeller, Jr. Memorial Parkway: Snowmobile and Snowplane Routes and Regulations .....	1024-AC34
1751	Applicability and Resource Protection Revisions .....	1024-AC38
1752	Mountain Climbing; 60-Day Preregistration Requirement .....	1024-AC39
1753	Appalachian National Scenic Trail: Powerless Flight .....	1024-AC42
1754	Procedures for State, Tribal, and Local Government Historic Preservation Programs .....	1024-AC44

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1755	National Natural Landmarks Program .....	1024-AB96
1756	Glacier Bay National Park, Alaska Fishing Regulations .....	1024-AB99
1757	Glacier Bay: Vessel Management Plan/Regulations .....	1024-AC05
1758	Native American Graves Protection and Repatriation Act Implementation .....	1024-AC07
1759	Visitor Services Under Section 1307 of ANILCA .....	1024-AC19
1760	Oregon Caves National Monument: Special Regulations .....	1024-AC26
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1763	The Secretary of the Interior's Standards for the Treatment of Historic Properties .....	1024-AC24
1764	Alaska; Hunting and Trapping Regulations .....	1024-AC25
1765	Pictured Rocks National Lakeshore; Special Regulations .....	1024-AC28
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1769	Leasing and Permitting .....	1076-AA29
1770	Individual Indian Monies .....	1076-AC65
1771	Navajo Partitioned Lands Grazing Regulations .....	1076-AC81
1772	Family and Child Education Program (FACE) .....	1076-AC92
1773	Indian Child Protection and Family Violence Prevention Programs .....	1076-AC97
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1779	Indian Self-Determination Act Amendments of 1994 ( <b>Reg Plan Seq. No. 61</b> ) .....	1076-AD21

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Bureau of Indian Affairs—Final Rule Stage

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1788	Operation and Maintenance of Irrigation Projects .....	1076-AC53
1789	Sale of Forest Products, Red Lake Indian Reservation, Minnesota .....	1076-AC75
1790	Sale of Lumber and Other Forest Products Produced by Indian Enterprises From the Forests on Indian Reservations .....	1076-AC77
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1796	Revision of Requirements Governing Corporate Surety Bonds for Outer Continental Shelf Leases .....	1010-AB92
1797	Revision of Authorized Bidding Systems for Leases in the Outer Continental Shelf .....	1010-AB93
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1800	Valuation of Gas Production—Federal Leases .....	1010-AC02
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**Minerals Management Service—Final Rule Stage**

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1809	Safety Requirements Governing Production Platforms and Pipelines .....	1010-AB52
1810	Valuation of Oil and Gas from Indian Leases .....	1010-AB57
1811	Gas Measurement and Commingling .....	1010-AB97
1812	Royalties, Rentals, Bonuses, and Other Monies .....	1010-AC01
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1818	Coal Moisture .....	1029-AB78
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1821	Applicant/Violator System Permit Information .....	1029-AB62
1822	Coal Remining .....	1029-AB74
1823	Notification and Permit Processing .....	1029-AB80

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Sequence Number	Title	Regulation Identifier Number
1824	Abandoned Coal Refuse Sites .....	1029-AB70
1825	Definition of Coal .....	1029-AB75
1826	Affected Area (Haul Roads) .....	1029-AB76
1827	Contemporaneous Reclamation .....	1029-AB79

**Bureau of Reclamation—Final Rule Stage**

Sequence Number	Title	Regulation Identifier Number
1828	Revenues Management .....	1006-AA30
1829	Acreage Limitation and Water Conservation .....	1006-AA32

**Bureau of Reclamation—Long-Term Actions**

Sequence Number	Title	Regulation Identifier Number
1830	Regulations for Administering Entitlements to Colorado River Water in the Lower Colorado River Basin .....	1006-AA24
1831	Central Valley Project of California—Purposes, Uses, and Allocation of Water Supplies .....	1006-AA34

**Bureau of Reclamation—Completed Actions**

Sequence Number	Title	Regulation Identifier Number
1832	Acreage Limitation Administrative Fees .....	1006-AA33
1833	Authorized Use of Reclamation Project Water .....	1006-AA35

**Bureau of Land Management—Proposed Rule Stage**

Sequence Number	Title	Regulation Identifier Number
1834	Sales of Forest Products; General—Preparation for Sale .....	1004-AB34
1835	Management of Designated Wilderness Area .....	1004-AB69
1836	Sales—Federal Land Policy and Management Act .....	1004-AB77
1837	Onshore Oil and Gas Operations .....	1004-AC09
1838	Tramroads and Logging Roads .....	1004-AC24
1839	Coalbed Methane Development .....	1004-AC27
1840	Law Enforcement—Criminal .....	1004-AC30
1841	Visitor Services .....	1004-AC42
1842	Management Areas; Designated National Area .....	1004-AC43
1843	Fire Management .....	1004-AC44
1844	Natural History Resource Management; Procedures .....	1004-AC45

## DOI

## Bureau of Land Management—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1845	Trespass .....	1004-AC46
1846	Public Land Orders .....	1004-AC47
1847	Management of Solid Minerals Other Than Coal .....	1004-AC49
1848	Recreation Management; Procedures; General .....	1004-AC50
1849	Recreation Programs .....	1004-AC51
1850	Visual Resource Management .....	1004-AC52
1851	Special Areas; State Irrigation Districts .....	1004-AC53
1852	Oil and Gas Leasing; Fees, Rentals, and Royalty .....	1004-AC54
1853	Minerals Management .....	1004-AC55
1854	Desert Land Entries .....	1004-AC56
1855	Onshore Oil and Gas Geophysical Exploration .....	1004-AC57
1856	State Exchanges; National Park System Exchanges Wildlife Refuge Exchanges; Miscellaneous Exchanges .....	1004-AC58
1857	Bodie Bowl, California: Surface Management .....	1004-AC60

## Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1858	Onshore Oil and Gas Operations; Special Provisions; Onshore Oil and Gas Order No. 5—Measurement of Gas ....	1004-AB22
1859	Leases, Permits, and Easements .....	1004-AB51
1860	Public Availability of Minerals Resources Information .....	1004-AB55
1861	Administration of Rights-of-Way .....	1004-AC12
1862	Logical Mining Units: General; LMU Application Procedures; LMU Approval Criteria; LMU Diligence; Administration of LMU Operations .....	1004-AC15
1863	Waiver, Suspension, or Reduction of Rental, Royalty, or Minimum Royalty .....	1004-AC26
1864	Onshore Oil and Gas Order No. 8, Well Workovers, Completions, and Abandonments .....	1004-AC33
1865	Fire Management .....	1004-AC36
1866	Coal Management .....	1004-AC37
1867	Public Law 167; Act of July 23, 1955 (Mining Claim Use and Occupancy) .....	1004-AC39
1868	Mining Claims Under the General Mining Laws (Bonding) .....	1004-AC40
1869	Application Procedures: Execution and Filing of Forms .....	1004-AC41
1870	Protection and Preservation of Natural Values .....	1004-AC48
1871	Disposal of Reserved Minerals Under the Stock Raising Homestead Act .....	1004-AC59

## Bureau of Land Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1872	Sales of Forest Products; Law Enforcement .....	1004-AB97

## Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1873	Transportation and Utility Systems In and Across, and Access Into, Conservation System Units in Alaska .....	1093-AA07

**DEPARTMENT OF THE INTERIOR (DOI)****Proposed Rule Stage****Assistant Secretary for Policy, Management and Budget (ASPMB)****1573. PRINCIPLES OF ETHICAL CONDUCT****Priority:** Other**Legal Authority:** 5 USC 7301; 5 USC app (Ethics Reform Act of 1989); EO 12731**CFR Citation:** 5 CFR 3501**Legal Deadline:** None

**Abstract:** The U.S. Office of Government Ethics (OGE) has issued new standards of conduct regulations. The Department of the Interior (DOI) is preparing special conduct regulations (applies only to DOI employees) to supplement OGE's new standards of conduct. Interior's supplemental

regulations, if approved by OGE, will be codified in 5 CFR Part 3501.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None

**Additional Information:** On June 10, 1993, the Department published a final rule that removed portions of 43 CFR 20 that have been superseded by Standards of Conduct regulations issued by U.S. Office of Government Ethics(OGE). The remaining regulations in 43 CFR 20 are preserved until they

can be recodified in 5 CFR 3501 on or before February 3, 1994. OGE recently extended this date until February 3, 1995. Draft proposed supplemental regulations have been submitted to OGE and it has agreed to extend the recodification deadline for the Department.

**Agency Contact:** Mason Tsai, Deputy Ethics Program Coordinator, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-5916

**RIN:** 1090-AA38**DEPARTMENT OF THE INTERIOR (DOI)****Final Rule Stage****Assistant Secretary for Policy, Management and Budget (ASPMB)****1574. NATURAL RESOURCE DAMAGE ASSESSMENTS; TYPE A—GREAT LAKES ENVIRONMENTS**

**Regulatory Plan:** This entry is Seq. No. 58 in Part II of this issue of the Federal Register.

**RIN:** 1090-AA21

construction of highways across public land not reserved for public uses--was repealed in 1976, but valid existing rights-of-way were not terminated. This proposed rule is intended to clarify the meaning of the statute and provide a workable administrative process and standards for recognizing valid claims.

**Timetable:**

Action	Date	FR Cite
NPRM	08/01/94	59 FR 39216
NPRM Comment Period End	08/01/95	60 FR 4135
Final Action	12/00/95	

**Small Entities Affected:** None**Government Levels Affected:** State, Local

**Agency Contact:** Ron Montagna, Realty Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-7782

**RIN:** 1090-AA44

craftspeople receive their fair share of the market by limiting unfair competition from products misrepresented as genuine Indian arts and crafts products.

**Timetable:**

Action	Date	FR Cite
NPRM	10/13/94	59 FR 51908
NPRM Comment Period End	02/10/95	59 FR 51908
Final Action	02/00/96	

**Small Entities Affected:** None**Government Levels Affected:** Tribal

**Agency Contact:** Geoffrey E. Stamm, Director, Indian Arts and Crafts Board, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW., Room 4004 MIB, Washington, DC 20240  
Phone: 202 208-3773  
Fax: 202 208-5196

**RIN:** 1090-AA45**1576. REVISED STATUTE 2477 RIGHTS-OF-WAY****Priority:** Other Significant

**Legal Authority:** 43 USC 1201; 43 USC 1732(b); 43 USC 1740; 43 USC 1457; 43 USC 1782(c); 16 USC 668dd; 16 USC 460k-3; 16 USC 1 to 4

**CFR Citation:** 43 CFR 39**Legal Deadline:** None

**Abstract:** This proposed rule would implement the Secretary of the Interior's June 1, 1993, recommendation to Congress that the Department promulgate regulations addressing rights-of-way pursuant to R.S. 2477 across lands now administered by the Bureau of Land Management, the National Park Service, and the U.S. Fish and Wildlife Service. R.S. 2477--a provision adopted in 1866 that granted a right-of-way for the

**1577. PROTECTION FOR PRODUCTS OF INDIAN ART AND CRAFTSMANSHIP****Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 305a; PL 101-644 Indian Arts and Crafts Act of 1990

**CFR Citation:** 25 CFR 309**Legal Deadline:** None

**Abstract:** These regulations carry out the enforcement provisions of PL 101-644 to help ensure that American Indian and Alaska Native artists and

**1578. • DEPARTMENT OF THE INTERIOR ACQUISITION REGULATION—CONFLICTS OF INTEREST****Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 63 Stat 390, sec 205(c); 40 USC 486(c); 5 USC 301; PL 103-355

## DOI—ASPMB

## Final Rule Stage

**CFR Citation:** 48 CFR 1403; 48 CFR 1403.570; 48 CFR 1425; 48 CFR 1452.203-70

**Legal Deadline:** None

**Abstract:** Under the auspices of the National Performance Review, a thorough review of the DIAR was conducted. The reviewers determined that only a few DIAR sections require codification in the CFR. This action is to effect the removal of DIAR subparts related to improper business practices, personal conflicts of interest, and foreign acquisition.

**Timetable:**

Action	Date	FR Cite
Final Action	11/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Mary L. McGarvey, Procurement Analyst, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Office of Acquisition and,

Property Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3158  
Fax: 202 208-6301  
Email: MMCGarvey@IOS.DOI.GOV

**RIN:** 1090-AA54

**1579. • DEPARTMENT OF THE INTERIOR ACQUISITION REGULATION—FOREIGN ACQUISITIONS**

**Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 63 Stat 390, sec 205(c); 40 USC 486(c); 5 USC 301; PL 103-355

**CFR Citation:** 48 CFR 1425.203; 48 CFR 1425.205; 48 CFR 1452.225-70

**Legal Deadline:** None

**Abstract:** Under the auspices of the National Performance Review, a thorough review of the DIAR was conducted. The reviewers determined that only a few DIAR sections require

codification in the CFR. This action is to effect the revision and retention of DIAR sections related to foreign acquisitions. Sections relating to evaluating offers and price adjustment proposals and the associated solicitation and contract provision will remain in the CFR.

**Timetable:**

Action	Date	FR Cite
Final Action	11/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Mary L. McGarvey, Procurement Analyst, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Office of Acquisition and, Property Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3158  
Fax: 202 208-6301  
Email: MMCGarvey@IOS.DOI.GOV

**RIN:** 1090-AA55

## DEPARTMENT OF THE INTERIOR (DOI)

## Long-Term Actions

## Assistant Secretary for Policy, Management and Budget (ASPMB)

**1580. NATURAL RESOURCE DAMAGE ASSESSMENTS; TYPE B—BIENNIAL REVIEW**

**Priority:** Other Significant

**Legal Authority:** 42 USC 9651(c)

**CFR Citation:** 43 CFR 11

**Legal Deadline:** None

**Abstract:** CERCLA and the Clean Water Act allow natural resource trustees to bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance or a discharge of oil. CERCLA requires that natural resource damage assessment regulations be promulgated and that the regulations be reviewed, and revised as appropriate, every two years. This rulemaking is the biennial review of the administrative process for conducting assessments as well as the site-specific "type B" procedures for determining injury and damages. This rulemaking will be closely coordinated with the

natural resource damage assessment rulemaking being conducted by the National Oceanic and Atmospheric Administration under the Oil Pollution Act of 1990.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/19/94	59 FR 52749
ANPRM Comment	01/17/95	59 FR 52749
Period End		
Next Action Undetermined		

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Willie R. Taylor, Director, Office of Environmental Policy and Compliance, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Room 2340, MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3891

**RIN:** 1090-AA29

**1581. NATURAL RESOURCE DAMAGE ASSESSMENTS; TYPE B—NONUSE VALUES**

**Priority:** Other Significant

**Legal Authority:** 42 USC 9651(c)  
CERCLA

**CFR Citation:** 43 CFR 11

**Legal Deadline:** None

**Abstract:** CERCLA and the Clean Water Act allow natural resource trustees to bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance or a discharge of oil. In 1986, the Department issued site-specific "type B" procedures for determining injury and damages. State of Ohio v. United States Department of the Interior, 880 F.2d 432 (D.C. Cir. 1989), ordered the Department to revise the type B procedures, among other things, to allow for the assessment of all reliably calculated lost economic values. This rulemaking addresses one

## DOI—ASPMB

## Long-Term Actions

aspect of the court remand--the reliable calculation of lost nonuse values of injured resources. On March 25, 1994, the Department issued a final rule complying with all other aspects of the court remand (59 FR 14261).

**Timetable:**

Action	Date	FR Cite
NPRM	05/04/94	59 FR 23097
NPRM Comment Period End	10/07/94	59 FR 32175

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Willie R. Taylor, Director, Office of Environmental Policy and Compliance, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Room 2340 MIB, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-3891

**RIN:** 1090-AA43

### 1582. • NATURAL RESOURCE DAMAGE ASSESSMENTS; ADDITIONAL TYPE A PROCEDURES

**Priority:** Other Significant

**Legal Authority:** 42 USC 9651(c)

**CFR Citation:** 43 CFR 11

**Legal Deadline:** None

**Abstract:** CERCLA and the Clean Water Act allow natural resource trustees to bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance or a discharge of oil. CERCLA calls for the promulgation of simplified "type A" assessment procedures involving minimal fieldwork for use in cases of minor releases or discharges. The Department

has proposed type A procedures for use in coastal and marine environments and the Great Lakes. The Department is now considering whether and how to develop additional type A procedures.

**Timetable:**

Action	Date	FR Cite
Notice of Meeting	05/09/95	60 FR 24604
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Willie R. Taylor, Director, Office of Environmental Policy and Compliance, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Room 2340, MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3891

**RIN:** 1090-AA51

## DEPARTMENT OF THE INTERIOR (DOI)

## Completed Actions

## Assistant Secretary for Policy, Management and Budget (ASPMB)

### 1583. • DEPARTMENT OF THE INTERIOR ACQUISITION REGULATIONS

**Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 63 Stat. 390, sec 205(c); 40 USC 486(c); 5 USC 301

**CFR Citation:** 48 CFR ch 14

**Legal Deadline:** None

**Abstract:** This final rule removed 16 parts of the Department of the Interior Acquisition Regulation. The removed material deals with internal procedures that do not have a significant effect outside the agency.

**Timetable:**

Action	Date	FR Cite
Final Action	06/12/95	60 FR 30791
Final Action Effective	07/12/95	60 FR 30791

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Delia Emmerich, Procurement Analyst, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3348

Fax: 202 208-6301

**RIN:** 1090-AA50

### 1584. • DEPARTMENT OF INTERIOR ACQUISITION REGULATION

**Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 63 Stat. 390, sec 205(c); 40 USC 486(c); 5 USC 301

**CFR Citation:** 48 CFR ch 14

**Legal Deadline:** None

**Abstract:** This final rule will remove certain portions from the Department's Acquisition Regulation (DIAR), relocate other material, and revise certain segments. The portions being removed deal exclusively with internal procedures. The revisions will simplify and streamline operations. No new requirements are being added.

**Timetable:**

Action	Date	FR Cite
Final Action	10/13/95	60 FR 53278
Final Action Effective	11/13/95	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Delia Emmerich, Procurement Analyst, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3348  
Fax: 202 208-6301

**RIN:** 1090-AA52

### 1585. • INTERIOR PROPERTY MANAGEMENT REGULATIONS

**Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 5 USC 301; 40 USC 486(c)

**CFR Citation:** 41 CFR 114-1 to 114-60

## DOI—ASPMB

## Completed Actions

**Legal Deadline:** None

**Abstract:** The Department of the Interior has amended the internal directives and procedures governing its property management program. The Department has deleted text from the Code of Federal Regulations. This text, which does not affect the public, has been deleted because it duplicates text in other internal directives.

**Timetable:**

Action	Date	FR Cite
Final Action	08/04/95	60 FR 39864
Final Action Effective	09/05/95	60 FR 39864

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert E. Lomax, Senior Property Management Analyst,

Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street N.W., Washington, DC 20240  
Phone: 202 208-3337  
Fax: 202 219-4244

**RIN:** 1090-AA53

**BILLING CODE** 4310-RK-F

## DEPARTMENT OF THE INTERIOR (DOI)

## Long-Term Actions

## Office of the Solicitor (OSOL)

**1586. SUBPART E—COMPULSORY PROCESS AND TESTIMONY OF EMPLOYEES**

**Priority:** Other

**Legal Authority:** 5 USC 301

**CFR Citation:** 43 CFR 2.80

**Legal Deadline:** None

**Abstract:** These regulations amend the Department's current regulations on employee testimony and response to subpoenas for documents. The current regulations do not provide enough guidance to allow appropriate decisions to be made as to whether testimony

should be allowed or documents released. Further, the current regulations do not have a centralized review to allow for consistent decisionmaking throughout the Department. These regulations provide guidance to those requesting testimony of employees or production of documents as to what the Department must consider to make a reasonable and just decision.

**Timetable:**

Action	Date	FR Cite
NPRM	01/15/93	58 FR 4635

Action	Date	FR Cite
NPRM Comment Period End	02/16/93	58 FR 4635
Next Action	Undetermined	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Peg Romanik, Attorney-Advisor, Department of the Interior, Office of the Solicitor, 1849 C St. NW., MS 6531, Washington, DC 20240  
Phone: 202 208-5216

**RIN:** 1092-AA09

**BILLING CODE** 4310-17-F

## DEPARTMENT OF THE INTERIOR (DOI)

## Proposed Rule Stage

## Office for Equal Opportunity (OEO)

**1587. • REQUIREMENTS FOR EQUAL OPPORTUNITY DURING CONSTRUCTION AND OPERATION OF THE ALASKA NATURAL GAS TRANSPORTATION SYSTEM**

**Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 15 USC 719

**CFR Citation:** 43 CFR 34

**Legal Deadline:** None

**Abstract:** The purpose of this regulatory action is to rescind the equal opportunity and affirmative action regulations at 43 CFR 34. The regulations are obsolete and no longer applicable to activities associated with the construction of the Alaska Natural Gas Transportation System. This action is also intended to reduce unnecessary,

costly, burdensome and duplicative Federal Affirmative Action reporting data collection and recordkeeping requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Melvin C. Fowler, Process Manager, Department of the Interior, Office for Equal Opportunity, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3455

**RIN:** 1091-AA04

**1588. • NONDISCRIMINATION IN ACTIVITIES CONDUCTED UNDER PERMITS, RIGHTS-OF-WAY, PUBLIC LAND ORDERS, AND OTHER FEDERAL AUTHORIZATIONS GRANTED OR LEASED UNDER P.L. 93-153**

**Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1651

**CFR Citation:** 43 CFR 27

**Legal Deadline:** None

**Abstract:** The purpose of this regulatory action is to rescind the nondiscrimination regulations at 43 CFR 27. The regulations have served their purpose and are obsolete and duplicative when compared to other existing and applicable Federal

## DOI—OEO

## Proposed Rule Stage

nondiscriminatory requirements. This action is also intended to reduce unnecessary, costly, burdensome, and duplicative Federal affirmative action reporting, data collection, and recordkeeping requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Melvin C. Fowler, Process Manager, Department of the Interior, Office for Equal Opportunity, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3455

**RIN:** 1091-AA05  
**BILLING CODE** 4310-RE-F

## DEPARTMENT OF THE INTERIOR (DOI)

## Proposed Rule Stage

## Office of Hearings and Appeals (OHA)

**1589. RULES APPLICABLE IN INDIAN AFFAIRS HEARINGS AND APPEALS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 96-274; PL 97-459; 5 USC 301

**CFR Citation:** 43 CFR 4.300; 43 CFR 4.301; 43 CFR 4.302; 43 CFR 4.303; 43 CFR 4.304; 43 CFR 4.305; 43 CFR 4.306; 43 CFR 4.307; 43 CFR 4.308

**Legal Deadline:** None

**Abstract:** The agency proposes to amend its regulations in 43 CFR 4.300 through 4.308 relating to Tribal Purchase of Interests Under Special Statutes in order to provide standard procedures for implementation of two recent statutes expanding tribal purchase rights and escheat requirements, namely, Pub. L. 96-274, applicable to the Standing Rock Sioux Reservation in North and South Dakota, and Pub. L. 97-459, applicable to the Devils Lake Sioux Reservation of North Dakota. The Department's current regulations in 43 CFR 4.300 through 4.308 apply to the Yakima, Warm Springs and Nez Perce Reservations. The proposed amendments to these regulations will incorporate provisions necessary for consideration of cases arising under the two statutes cited above.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Barry E. Hill, Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203  
Phone: 703 235-3810

**RIN:** 1094-AA38

**1590. RULES APPLICABLE TO INDIAN AFFAIRS HEARINGS AND APPEALS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 36 Stat 855, as amended; 36 Stat 856, as amended; 38 Stat 586; 42 Stat 1185, as amended; 56 Stat 1021 et seq; RS 463; RS 465; 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 372; 25 USC 373; 25 USC 374; 25 USC 373a; 25 USC 373b; ...

**CFR Citation:** 43 CFR 4.208; 43 CFR 4.210(b); 43 CFR 4.241(a); 43 CFR 4.242(d)

**Legal Deadline:** None

**Abstract:** The agency proposes to amend and update its regulations pertaining to the hearing and disposition of Indian probate cases by: (1) allowing, under 4.208, the renunciation of a probate interest by a beneficiary as young as 18 years instead of the current 21 years; (2) amending the period under 4.210(b) within which the BIA Superintendent may file with the Administrative Law Judge all records relevant to an Indian deceased and his property to 120 days from the receipt of the notice of death from the current 90 days; (3) amending the address under 4.241(a) for the filing of a petition for rehearing to the Administrative Law Judge from the current BIA Superintendent; and (4) clarifying under 4.242(d) that and estate may be reopened at a time beyond 3 years after the date of the original final decision in the estate at the instance of a petition by a BIA official or of the Administrative Law Judge's own motion.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Barry E. Hill, Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203  
Phone: 703 235-3810

**RIN:** 1094-AA46

**1591. GENERAL RULES APPLICABLE TO PROCEEDINGS ON APPEAL BEFORE THE INTERIOR BOARD OF INDIAN APPEALS**

**Priority:** Other Significant

**Legal Authority:** 36 Stat 855, as amended; 36 Stat 856, as amended; 38 Stat 586; 42 Stat 1185, as amended; 56 Stat 1021 et seq; RS 463; RS 465; 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 372; 25 USC 373; 25 USC 374; 25 USC 373a; 25 USC 373b

**CFR Citation:** 43 CFR 4.310 to 4.340

**Legal Deadline:** None

**Abstract:** The agency proposes to amend and update its regulations in order to clarify and streamline procedures for appealing to the Interior Board of Indian Appeals from decisions issued in Indian probate matters, decisions issued under authority of 25 CFR chapter I, and such other decisions in Indian matters as may be referred to the Board. Experience working with the present regulations has shown them to be confusing. In addition, some of the Board's regulations are out-of-date and do not address areas of jurisdiction, such as Osage will contests, that have been delegated to the Board by the Secretary of the Interior. Regulatory guidance is also needed for appeals that have specific procedural rules as part of the program regulations, such as tribal acknowledgements.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/96	



## DOI—OHA

## Proposed Rule Stage

Small Entities Affected: None

Government Levels Affected: None

**Agency Contact:** Kathryn A. Lynn,  
Chief Administrative Judge, Board of  
Indian Appeals, Department of the  
Interior, Office of Hearings and

Appeals, 4015 Wilson Boulevard,  
Arlington, VA 22203  
Phone: 703 235-3816  
**RIN:** 1094-AA47

**DEPARTMENT OF THE INTERIOR (DOI)**  
**Office of Hearings and Appeals (OHA)**

## Final Rule Stage

**1592. RULES APPLICABLE IN INDIAN AFFAIRS HEARINGS AND APPEALS****Priority:** Substantive, Nonsignificant

**Legal Authority:** 36 Stat 855, as amended; 38 Stat 586; 42 Stat 1185, as amended; 56 Stat 1021 to 1022; RS 463; RS 465; 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 372; 25 USC 373; 25 USC 373a; 25 USC 373b; 25 USC 374

**CFR Citation:** 43 CFR 4.207; 43 CFR 4.242; 43 CFR 4.274

**Legal Deadline:** None

**Abstract:** The agency proposes: (1) Amendment of 4.207 to permit acceptance of compromise settlements in probate of estates of Indians who died owning property in trust or

restricted status when all parties are advised of all facts and are cognizant of effect of the compromise on their rights, and where no family member is coerced into the agreement. Such settlements are already provided for in disputed cases; (2) amendment of 4.242 to require petitioner for reopening of an estate which has been closed more than 3 years to show due diligence in pursuing the claim. This will place in the regulation case law developed over the past 18 years; (3) amendment of 4.274 by adding a new paragraph (c) for allowance of immediate payment of claims where appropriate for better conservation of assets of the estate, and a new paragraph (d) to permit partial distribution of an estate to provide

funds for the maintenance of the family where the ultimate distribution is unlikely to be disputed.

**Timetable:**

Action	Date	FR Cite
NPRM	09/06/90	55 FR 36669
NPRM Comment Period End	10/09/90	55 FR 36669
Final Action	06/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Barry E. Hill,  
Director, Department of the Interior,  
Office of Hearings and Appeals, 4015  
Wilson Boulevard, Arlington, VA 22203  
Phone: 703 235-3810

**RIN:** 1094-AA39

**DEPARTMENT OF THE INTERIOR (DOI)**  
**Office of Hearings and Appeals (OHA)**

## Long-Term Actions

**1593. NOTICE OF INTERIM ALTERNATIVE DISPUTE RESOLUTION AND OPPORTUNITY FOR COMMENT****Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 101-552; 5 USC 301

**CFR Citation:** None**Legal Deadline:** None

**Abstract:** This is not a regulatory action but a notice for publication in the Federal Register concerning the Department's interim policy on Alternative Dispute Resolution (ADR) and providing opportunity for the

public to comment. This interim policy will be in effect for two years. During this interim phase, bureaus and offices of the Department will implement pilot initiatives to assess the applicability of ADR methods to a variety of disputes. At the conclusion of the interim phase, the results of these initiatives will be evaluated and a final ADR policy will be developed. This notice will establish the Department's interim policy on ADR and provide guidance on the establishment of ADR program initiatives. The use of ADR should reduce time and costs associated with resolution of disputes.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/13/94	59 FR 30368
Next Action Undetermined		

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Barry E. Hill,  
Director, Department of the Interior,  
Office of Hearings and Appeals, 4015  
Wilson Blvd., Arlington, VA 22203  
Phone: 703 235-3810

**RIN:** 1094-AA45

BILLING CODE 4310-79-F

**DEPARTMENT OF THE INTERIOR (DOI)**  
**United States Fish and Wildlife Service (FWS)**

## Prerule Stage

**1594. • EXPORT OF GINSENG HARVESTED IN WASHINGTON STATE IN 1995-97****Priority:** Other Significant

**Legal Authority:** 16 USC 1537

**CFR Citation:** 50 CFR 23.51

**Legal Deadline:** None

**Abstract:** This proposed rule would allow the export of artificially propagated ginseng from the State of Washington in accordance with the Convention on International Trade in

Endangered Species (CITES)  
requirements.

**Timetable:**

Action	Date	FR Cite
ANPRM	02/00/96	

## DOI—FWS

## Prerule Stage

**Small Entities Affected:** Businesses**Government Levels Affected:** State

**Agency Contact:** Susan Lieberman, Chief, Branch of Operations, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS-420 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2095  
Fax: 703 358-2281

**RIN:** 1018-AD54**1595. • TRANSPORT OF MARINE MAMMALS HELD FOR PUBLIC DISPLAY****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 18**Legal Deadline:** None

**Abstract:** This proposed rule will outline the procedure a public display facility will need to follow to transport marine mammals to another facility for public display without additional permits.

**Timetable:**

Action	Date	FR Cite
ANPRM	03/00/96	

**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** Federal

**Agency Contact:** Kenneth Stansell, Chief, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS-420 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-3093

**RIN:** 1018-AD56

## DEPARTMENT OF THE INTERIOR (DOI)

## Proposed Rule Stage

## United States Fish and Wildlife Service (FWS)

**1596. CLEAN VESSEL ACT NATIONAL PUMPOUT SYMBOL****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 102-587**CFR Citation:** 50 CFR 85**Legal Deadline:** None

**Abstract:** The Service proposes to develop regulations that will provide boaters with a national pumpout/dump station symbol. Currently there is a confusing array of state and private pumpout and dump station symbols. This program was authorized by Congress to provide incentives to public and private boating facilities to develop a system to properly handle human waste from boaters. A national pumpout/dump station symbol will provide boaters with a single nationwide symbol of pumpout and dump locations and provide a consistent message about the program nationally in education materials produced by each state.

**Timetable:**

Action	Date	FR Cite
NPRM	09/19/95	60 FR 48491
NPRM Comment Period End	11/20/95	
Final Action	01/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Bob Lang, Chief, Division of Federal Aid, Department of the Interior, United States Fish and Wildlife Service, MS -140 Arlington Square, 1849 C Street NW., Washington, DC 20240

Phone: 703 358-2156

**RIN:** 1018-AC67**1597. MIGRATORY BIRD HUNTING AND MIGRATORY BIRD PERMITS****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 703 to 711; 16 USC 712; 16 USC 742(a) to 742 (d); 16 USC 742(e) to 742 (j)

**CFR Citation:** 50 CFR 20; 50 CFR 21**Legal Deadline:** None

**Abstract:** In November 1991, the Service began a review of its regulations on migratory bird hunting and migratory bird permits. In a notice published in the Federal Register on December 1, 1993, (58 FR 63488) the issues were described and needed changes and possible alternatives were discussed. That notice also provided additional information that would facilitate public comment on the regulations being reviewed. The Service will develop regulations that will clarify the regulations in 50 CFR Parts 20 and 21 that are perceived by many individuals to be unclear, update any outdated information, and correct any technical errors.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Thomas Striegler, Deputy Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, P.O. Box 3247, Arlington, VA 22203-3247  
Phone: 703 358-1949

**RIN:** 1018-AC69**1598. EXPORT FINDING FOR BOBCATS, LYNX, AND RIVER OTTERS HARVESTED IN 1994 AND SUBSEQUENT SEASONS****Priority:** Routine and Frequent**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 23**Legal Deadline:** None

**Abstract:** The Service will develop regulations that will add several states and/or tribes to the list of approved export programs for bobcat, lynx and/or river otter.

**Timetable:**

Action	Date	FR Cite
NPRM	08/02/95	60 FR 39347
NPRM Comment Period End	10/02/95	

**Small Entities Affected:** None**Government Levels Affected:** State

**Agency Contact:** Marshall Jones, Chief, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS-

## DOI—FWS

## Proposed Rule Stage

420 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AC70

### 1599. SEIZURE AND FORFEITURE PROCEDURES

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 4222 to 4241; 16 USC 4901 to 4916; 18 USC 42

**CFR Citation:** 50 CFR 12

**Legal Deadline:** None

**Abstract:** The Service proposes to amend regulations in 50 CFR part 12 that establish procedures relating to property seized or subject to administrative forfeiture under various laws enforced by the Service. This revision is intended to provide uniform guidance for the bonded release, appraisal, administrative proceeding, petition for remission, and disposal of items subject to forfeiture. Also these revisions are intended to provide for greater consistency of Service seizure and forfeiture procedures with those of the U.S. Customs Service.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** Thomas Striegler, Deputy Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, P.O. Box 3247, Arlington, VA 22203-3247  
Phone: 703 358-1949

RIN: 1018-AC89

### 1600. IMPORTATION OF POLAR BEAR TROPHIES TAKEN IN CANADA

**Priority:** Other Significant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

**Abstract:** The Service proposes regulations concerning the importation

of sport-hunted trophies of polar bears legally taken by the applicant while hunting in Canada. Further, these regulations provide application requirements, permit procedures, issuance criteria; permit conditions, and a fee for each permit issued as required by the Marine Mammal Protection Act for the Service to establish and charge a reasonable fee. This rule does not discuss legal and scientific findings required by the Act's 1994 amendments that need to be made prior to issuing an import permit.

**Timetable:**

Action	Date	FR Cite
NPRM	01/03/95	60 FR 70
NPRM Comment Period End	03/06/95	60 FR 70
NPRM Comment Period Extended to	10/20/95	60 FR 54210
Final Action	11/06/95	
<b>Polar bear trophies taken in Canada</b>		
NPRM (Supplemental)	07/17/95	(60 FR 36382)

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Margaret Tieger, Chief, Branch of Permits, Department of the Interior, United States Fish and Wildlife Service, MS 420 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2104

RIN: 1018-AD04

### 1601. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: U.S. POPULATIONS OF ATLANTIC SALMON

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for a distinct population segment (in seven eastern Maine river systems) of anadromous Atlantic salmon without critical habitat, under the Endangered Species Act. Where once the Atlantic salmon occurred from the Housatonic River,

Connecticut to the St. Croix River on the Maine-New Brunswick, Canada border, now most salmon populations have been extirpated and some spawning habitat is no longer accessible or is unsuitable, due to dams or water pollution. Currently, remnant populations of anadromous Atlantic salmon are restricted to several rivers in eastern Maine. This is a joint Fish and Wildlife Service/National Marine Fisheries Service rule/finding with neither agency having the lead.

**Timetable:**

Action	Date	FR Cite
NPRM	09/29/95	60 FR 50530
NPRM Comment Period End	12/28/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AD12

### 1602. • ADDITION OF DEEP FORK NATIONAL WILDLIFE REFUGE TO THE LIST OF OPEN AREAS FOR SPORT FISHING IN OKLAHOMA

**Priority:** Other Significant

**Legal Authority:** 16 USC 469k

**CFR Citation:** 50 CFR 32

**Legal Deadline:** None

**Abstract:** The Service proposes to add Deep Fork National Wildlife Refuge to the list of areas open for sport fishing in Oklahoma along with pertinent refuge-specific regulations for such activities. This rule is necessary because national wildlife refuges are closed until opened by rulemaking.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** Robert Shallenberger, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, MS 670 Arlington Square, 1849 C Street NW., Washington, DC 20240

## DOI—FWS

## Proposed Rule Stage

Phone: 703 358-1744

RIN: 1018-AD27

**1603. • ENDANGERED SPECIES LISTING: THREE AQUATIC INVERTEBRATES IN COMAL AND HAYS COUNTIES, TEXAS****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for three aquatic invertebrates: Peck's cave amphipod, Comal Springs riffle beetle and Comal Springs dryopid beetle. These species are known only from springs in Comal County and Hays County, Texas. They are threatened by loss of necessary aquatic habitat due to increasing groundwater withdrawal by humans throughout the aquifer that supplies the springs and by the potential for contamination of their limited range.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/95	

**Small Entities Affected:** None**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AD28

**1604. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: ESTABLISHMENT OF NONESSENTIAL EXPERIMENTAL POPULATION OF BLACK-FOOTED FERRETS IN ARIZONA****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** The Service proposes to establish a non-essential experimental

population of Black-footed ferrets in Arizona under Section 10 (j) of the Endangered Species Act. The ferrets will be reintroduced into the Aubrey Valley Management Area in Cocconino and Yavapi Counties in Arizona on State lands (42%) and Navajo Nation and private lands (58%). The non-essential experimental population designation allows for easing of Endangered Species Act restrictions and for management flexibility.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/95	

**Small Entities Affected:** None**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AD29

**1605. • PUBLIC USE REGULATIONS FOR ALASKA PENINSULA/BECHAROF NATIONAL WILDLIFE REFUGE COMPLEX****Priority:** Other Significant**Legal Authority:** 16 USC 460k**CFR Citation:** 50 CFR 36**Legal Deadline:** None

**Abstract:** The Service proposes regulations to implement portions of the Alaska Peninsula/Becharof National Wildlife Refuge Complex Public Use Management Plan. The rulemaking would allow the Service to manage public uses by adopting regulations addressing off-road vehicles, camping, and temporary facilities. The regulations will also provide for continued public use of the refuge complex while protecting refuge resources and resolving conflicts between refuge users.

**Timetable:**

Action	Date	FR Cite
NPRM	10/16/95	60 FR 53576
Final Action	00/00/00	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Robert Shallenberger, Chief, Division of Refuges, Department

of the Interior, United States Fish and Wildlife Service, MS -670 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1744

RIN: 1018-AD30

**1606. • CONFERRING DESIGNATED PORT STATUS ON ATLANTA, GA****Priority:** Other**Legal Authority:** 16 USC 705; 16 USC 3378; 18 USC 42; 31 USC 483(a)**CFR Citation:** 50 CFR 14**Legal Deadline:** None

**Abstract:** The Service proposes to confer designated port status on Atlanta, Georgia. Designated port status would allow the direct importation and exportation of fish and wildlife, including parts and products, through Atlanta, a growing international port. The addition of Atlanta as a port is contingent upon getting contributory funding from the Atlanta airport, and a Memorandum of Agreement will be signed between the airport authority and the Service. The Secretary of the Interior is responsible for designating these ports by regulations, with the approval of the Secretary of the Treasury after notice and the opportunity for public hearing.

**Timetable:**

Action	Date	FR Cite
NPRM	10/13/95	60 FR 53329
Final Action	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Thomas Striegler, Deputy Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS-500 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1949

RIN: 1018-AD33

**1607. • SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA—SUBPARTS C AND D—1996-1997 SUBSISTENCE TAKING OF FISH AND WILDLIFE REGULATIONS****Priority:** Other Significant**Legal Authority:** 16 USC 3111 to 3126**CFR Citation:** 50 CFR 100**Legal Deadline:** None

## DOI—FWS

## Proposed Rule Stage

**Abstract:** Rules will be developed that provide for the seasonal bag limits and dates for subsistence hunting, trapping, and fishing on Federal lands in Alaska. The seasons and bag limits are developed in cooperation with State and local governmental entities to ensure that fish and wildlife populations in the State are adequately protected.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Richard S. Pospahala, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, Alaska 99503  
Phone: 907 786-3467

**RIN:** 1018-AD42

#### 1608. • ADDITION OF OHIO RIVER NATIONAL WILDLIFE REFUGE TO THE LIST OF OPEN AREAS FOR FISHING IN WEST VIRGINIA

**Priority:** Other Significant

**Legal Authority:** 16 USC 460k

**CFR Citation:** 50 CFR 32

**Legal Deadline:** None

**Abstract:** The Service proposes to add Ohio River Islands National Wildlife Refuge to the list of areas open for sport fishing in West Virginia along with pertinent refuge-specific regulations for such activities. National wildlife refuges are generally closed to hunting and sport fishing until opened by rulemaking.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert Shallenberger, Chief, Division of Refuges, Department of the Interior, United States Fish and Wildlife Service, MS -670 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1744

**RIN:** 1018-AD43

#### 1609. • ADDITION OF GREAT BAY NATIONAL WILDLIFE REFUGE TO THE LIST OF OPEN AREAS FOR HUNTING IN NEW HAMPSHIRE

**Priority:** Other Significant

**Legal Authority:** 16 USC 460k

**CFR Citation:** 50 CFR 32

**Legal Deadline:** None

**Abstract:** The Service proposes to add Great Bay National Wildlife Refuge to the list of areas open for migratory game bird hunting and big game hunting in New Hampshire along with pertinent refuge-specific regulations for such activities. National wildlife refuges are generally closed to hunting and sport fishing until opened by rulemaking.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert Shallenberger, Chief, Division of Refuges, Department of the Interior, United States Fish and Wildlife Service, MS -670 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1744

**RIN:** 1018-AD44

#### 1610. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: 25 PLANTS FROM OAHU, HAWAII

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1633 the Service must take action (list withdraw or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** The Service will propose regulations that will determine the appropriate status for a plant taxa endemic to the Island of Oahu in Hawaii. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	10/02/95	60 FR 51398
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD50

#### 1611. • ENDANGERED SPECIES LISTING TWO TEXAS PLANTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 10 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533 the service must take action (list, withdraw or extend the rulemaking for six months) on a proposed listing no later than one year after this proposal.

**Abstract:** The Service will propose regulations that will determine appropriate status for 2 plants; Zapata bladderpod and Bushy whitlow-wort, occurring in southern Texas. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD51

#### 1612. • ENDANGERED SPECIES LISTING: GUAJOA OR ROCK FROG

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** The Service will propose regulations that will determine the appropriate status for the guajon or

## DOI—FWS

## Proposed Rule Stage

rock frog. This frog is endemico Puerto Rico and is known from the Pandura mountain range in the extreme southeastern part of the island. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	10/02/95	60 FR 51432
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered, Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street, Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD52

### 1613. • CAPTIVE BRED WILDLIFE REGISTRATION UNDER THE ENDANGERED SPECIES ACT

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** Rulemaking will contain proposed: 1) guidelines for educational presentations using living wildlife (to clarify definition of educational exhibition contained in 50 CFR 17.3); and 2) criteria for adding or deleting species from list of species that are exempt from the requirement to obtain a captive-bred wildlife registration (50 CFR 17.21(g)).

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/95	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** None

**Agency Contact:** Susan Lieberman, Chief, Branch of Operations, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS 420-Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2093  
Fax: 703 358-2080

**RIN:** 1018-AD53

### 1614. • CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES (CITES)

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

**Abstract:** The Service proposes to amend the regulations that implement the Convention on International Trade in Endangered Species for the purpose of clarifying procedures for the benefit of the public.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** None

**Agency Contact:** Susan Lieberman, Chief, Branch of Operations, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS-420 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2095  
Fax: 703 358-2080

**RIN:** 1018-AD55

### 1615. • GENERAL AUTHORIZATION TO CONDUCT BONAFIDE SCIENTIFIC RESEARCH RESULTING ONLY IN LEVEL B HARASSMENT OF MARINE MAMMALS

**Priority:** Other Significant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** This proposed rule will provide a general authorization to conduct bona fide scientific research without permits provided the research results only in level B harassment. Level B harassment has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns including, but not limited to, migration, breathing, nursing, breeding, feeding or sheltering.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** Governmental Jurisdictions, Organizations

**Government Levels Affected:** Federal

**Agency Contact:** Margaret Tieger, Chief, Branch of Permits, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS-420 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2104  
Fax: 703 358-2281

**RIN:** 1018-AD57

### 1616. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FOURTEEN PLANTS FROM THE HAWAIIAN ISLANDS

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, The Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for fourteen plant taxa endemic to the Hawaiian Islands: *Achyranthes mutica*; *Cenchrus grimesianoides*; *Cyanea grimesiana* ssp. *grimesiana*; *Cyperus trachysanthos*; *Euphorbia haeleeleana*; *Isodendron lauifolium*; *Isodendron longifolium*; *Panicum niihauense*; *Phyllostegia parviflora*; *Platanthera holochila*; *Sanicula purpurea*; *Schiedea hookeri*; *Schiedea kauaiensis*; and *Schiedea nuttallii*. All plant taxa are endemic to the Hawaiian Islands and found or were found on more than one island. None of the taxa are located exclusively on Federal land. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	10/02/95	60 FR 51417
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD58

## DOI—FWS

## Proposed Rule Stage

**1617. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FOUR PLANTS FROM INTERIOR CHAPARRAL OF SOUTHWESTERN CALIFORNIA AND NORTHWESTERN BAJA CALIFORNIA, MEXICO****Priority:** Other Significant**Legal Authority:** 16 USC 1531**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for

six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for four plants Nevin's barberry, Mexican flannelbush, Vail Lake ceanothus and Dehesa beargrass. These perennial shrubs and plants are found in chaparral habitat west of the Peninsular Ranges in southwestern California and northwestern Baja California, Mexico. Critical habitat is not being proposed at this time.**Timetable:**

Action	Date	FR Cite
NPRM	10/02/95	60 FR 51445
Final Action	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171**RIN:** 1018-AD60

## DEPARTMENT OF THE INTERIOR (DOI)

## Final Rule Stage

## United States Fish and Wildlife Service (FWS)

**1618. IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 16 USC 3371 et seq; 16 USC 1532 et seq; 16 USC 1382; 16 USC 703 et seq**CFR Citation:** 50 CFR 14**Legal Deadline:** None**Abstract:** The Service will amend 50 CFR 14 to permit the use of the U.S. Customs Service's Automated Commercial System (ACS) for the declaration and clearance of importations and exportation of wildlife.**Timetable:**

Action	Date	FR Cite
NPRM	09/14/94	59 FR 47212
NPRM (Reopening of Comment Period)	11/15/94	59 FR 58811
NPRM Comment Period End	12/15/94	59 FR 58811
NPRM (Supplemental)	03/23/95	60 FR 15277
Final Action	04/00/96	

**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** Federal**Additional Information:** The ACS system is being tested in several ports of entry. The Service will amend 50

CFR 14 when the system is fully implemented by the Customs Service.

**Agency Contact:** John Doggett, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS-500, Arlington Square, Washington, DC 20240  
Phone: 703 358-1949**RIN:** 1018-AB49**1619. ENDANGERED AND THREATENED WILDLIFE AND PLANTS****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.**Timetable:****Addax antelope**NPRM 11/05/91 (56 FR 56491)  
NPRM (Reopening of Comment Period)  
06/08/92 (57 FR 24220)  
Final Action 00/00/00**Dama gazelle**NPRM 11/05/91 (56 FR 56491)  
NPRM (Reopening of Comment Period)  
06/08/92 (57 FR 24220)  
Final Action 00/00/00**Ohio emerald dragonfly**Final Action 10/00/95  
NPRM 00/00/00**Oryx antelope**NPRM 11/05/91 (56 FR 56491)  
NPRM (Reopening of Comment Period)  
06/08/92 (57 FR 24220)  
Final Action 00/00/00**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS - 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171**RIN:** 1018-AB66**1620. LIST OF MIGRATORY BIRDS****Priority:** Other**Legal Authority:** 16 USC 704; 16 USC 712**CFR Citation:** 50 CFR 10.13**Legal Deadline:** None**Abstract:** The List of Migratory Birds found at 50 CFR 10.13 is being revised to (1) bring the list into conformity with generally accepted taxonomy and

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nomenclature--English (common) and scientific names, as reflected in four published supplements to the 6th (1983) edition of the American Ornithologists' Union Checklist of North American Birds; and (2) add species that are of regular occurrence in the United States that are not included on the current list.

**Timetable:**

Action	Date	FR Cite
NPRM	05/09/95	60 FR 24686
Final Action	05/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Paul R. Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, MS - 634 Arlington Square, Washington, DC 20240  
Phone: 703 358-1714

**RIN:** 1018-AB72

**1621. EAGLE PERMITS**

**Priority:** Other Significant

**Legal Authority:** 16 USC 668

**CFR Citation:** 50 CFR 22

**Legal Deadline:** None

**Abstract:** Presently, the taking, possession, and transportation of bald or golden eagles, or their parts, nests, or eggs for the religious use of Native Americans is a permitted activity. The Service proposes to revise 50 CFR 22.22 to provide an import or export mechanism for eagle feathers legally possessed by Native Americans.

**Timetable:**

Action	Date	FR Cite
NPRM	06/16/94	59 FR 30892
NPRM Comment	08/15/94	59 FR 30892
Period End		
Final Action	10/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Thomas L. Striegler, Deputy Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS 550 - Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1949

**RIN:** 1018-AB81

**1622. ENDANGERED AND THREATENED WILDLIFE AND PLANTS**

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:**

**(PR) Thelypteris inabonensis (NCN)**

NPRM 07/02/93 (58 FR 35887)

Final Action 00/00/00

**(PR) Thelypteris verecunda (NCN)**

NPRM 07/02/93 (58 FR 35887)

Final Action 00/00/00

**(PR) Thelypteris yaucoensis (NCN)**

NPRM 07/02/93 (58 FR 35887)

Final Action 00/00/00

**Arizona willow**

NPRM 11/20/92 (57 FR 54747)

Final Action 04/28/95 (60 FR 20951)

**Kodachrome pepper-grass**

NPRM 11/03/92 (57 FR 49671)

**Kodachrome pepper-grass (Withdrawal)**

NPRM 10/06/93 (58 FR 52058)

Final Action 10/00/95

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452, Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AB83

**1623. ALASKA REFUGES VISITOR SERVICES**

**Priority:** Other Significant

**Legal Authority:** 16 USC 460(k) et seq;  
44 USC 3501 et seq

**CFR Citation:** 50 CFR 36

**Legal Deadline:** None

**Abstract:** The Service will propose regulations to implement section 1307 of the Alaska National Interest Lands Conservation Act (ANILCA). These regulations are needed to establish procedures for selecting and authorizing persons to provide visitor services, except guided sport fishing and hunting activities, on national wildlife refuges in Alaska. Such regulations are intended to ensure proper and uniform guidance on providing the preferences required by ANILCA in the solicitation, selection, and authorization of persons or Native Corporations to provide visitor services on refuge lands in Alaska, when such services must be limited to a level below the demand.

**Timetable:**

Action	Date	FR Cite
NPRM	04/25/95	60 FR 20380
NPRM Comment	06/26/95	
Period End		
Final Action	04/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Richard S. Pospahala, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503  
Phone: 907 786-3467

**RIN:** 1018-AC02

**1624. CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES); CHANGES TO THE APPENDICES**

**Priority:** Other

**Legal Authority:** 16 USC 1533 et seq

**CFR Citation:** 50 CFR 10

**Legal Deadline:** None

**Abstract:** As a member Party to CITES, the United States is expected to implement those changes in the Appendices that were adopted by two-thirds of the Parties at the November 7-8, 1994 meeting of the Conference of the Parties to CITES. These species changes to the Appendices will become effective February 16, 1995. This rulemaking was inadvertently published under RIN 1018-AD07.



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**Timetable:**

Action	Date	FR Cite
NPRM	01/03/95	60 FR 73
NPRM Comment Period End	01/17/95	60 FR 73
Final Action	10/00/95	

**Small Entities Affected:** None**Government Levels Affected:** Undetermined

**Agency Contact:** Charles W. Dane, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, MS-750 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1708

**RIN:** 1018-AC78**1625. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: BROTHER'S ISLAND TUATARA****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed to determine the status for the reptile, Brother's Island tuatara.

This reptile is known only from North Brother's Island in Cook Strait, New Zealand. Although legally covered by an endangered classification, this species previously was considered part of the related and more widespread tuatara (*Sphenodon punctatus*). Both species are threatened by various factors (excessive human hunting) especially predation from introduced rats.

**Timetable:**

Action	Date	FR Cite
NPRM	01/26/95	60 FR 5159
NPRM Comment Period End	04/26/95	60 FR 5159
Final Action	01/00/96	

**Small Entities Affected:** None**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD06**1626. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: CRITICAL HABITAT DESIGNATION FOR THE WESTERN SNOWY PLOVER****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, June 1, 1995.

**Abstract:** The Service proposes to designate critical habitat for the Pacific coast population of the Western snowy plover. The plover was listed as a threatened species on March 5, 1993. Critical habitat for the plover is proposed in coastal areas of Washington, Oregon, and California.

**Timetable:**

Action	Date	FR Cite
NPRM	03/02/95	60 FR 11768
Final Action	03/00/96	

**Western snowy plover**

NPRM (Reopening of Comment Period)  
05/15/95 (60 FR 25882)

**Small Entities Affected:** None**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD10

## DEPARTMENT OF THE INTERIOR (DOI)

## Long-Term Actions

## United States Fish and Wildlife Service (FWS)

**1627. ENDANGERED AND THREATENED WILDLIFE AND PLANTS****Priority:** Other Significant**Legal Authority:** 16 USC 1531 to 1543**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed to list, reclassify, or delist certain species of wildlife and plants as endangered or threatened species.

When prudent, critical habitat will also be identified.

**Timetable:**

**Inyo brown towhee (critical habitat)**  
NPRM 08/03/87 (52 FR 28787)  
Next Action Undetermined

**Small Entities Affected:** None**Government Levels Affected:** State

**Additional Information:** Originally scheduled: April 1985.

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AA85**1628. PROPOSED DETERMINATION OF EXPERIMENTAL POPULATION STATUS FOR AN INTRODUCED POPULATION OF COLORADO SQUAWFISH****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** The Service proposes to introduce Colorado squawfish (*Ptychocheilus lucius*) into the lower Colorado River in Arizona and to determine the population to be "nonessential experimental" population according to section 10(j) of the Endangered Species Act. The Service will propose a special rule to allow

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take in accordance with State law. In the past, Colorado squawfish were more widespread in the State of Arizona, occurring in several river drainages. This action is being taken in an effort to establish an additional population within the species' historic range.

**Timetable:**

Action	Date	FR Cite
NPRM	08/26/87	52 FR 32143
NPRM Comment Period End	10/26/87	52 FR 32143

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS - 452 Arlington Square, Washington DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AB09

**1629. CAPTIVE-BRED WILDLIFE**

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Fish and Wildlife Service regulates certain activities involving non-native endangered or threatened wildlife species that are born in captivity in the United States. Currently, this is accomplished by requiring persons who wish to conduct otherwise prohibited activities with such wildlife to register with the Service to obtain a captive-bred wildlife or CBW registration. These regulations will be reviewed to determine if further action is necessary to relieve certain restrictions on the public that may have become burdensome, counterproductive, or outmoded.

**Timetable:**

Action	Date	FR Cite
ANPRM	01/07/92	57 FR 548
ANPRM Comment Period End	03/09/92	57 FR 548
NPRM	06/11/93	58 FR 32632
NPRM Comment Period End	09/09/93	58 FR 32632
Interim Final Rule	12/27/93	58 FR 68323

**Captive-bred wildlife regulations, part 2**  
NPRM 12/27/93 (58 FR 68383)

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** On June 11, 1993, the Service published a proposed rule that would revise the captive-bred wildlife regulations and the definitions of the terms "harass" and "enhance the propagation or survival". During the 90-day comment period, extensive comments on the proposal were received. The Service has decided to eliminate education as the sole basis for justifying issuance of a captive-bred wildlife registration, and a final rule to that effect was published on December 27, 1993 (58 FR 68323). The Service will split this action into three final rules and reopen the comment period on the balance of the issues in the proposals, including the question of the value of education as it relates to endangered species permits.

**Agency Contact:** Marshall P. Jones, Jr., Chief, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS - 432 Arlington Square, Washington, DC 20240  
Phone: 703 358-2093

**RIN:** 1018-AB10

**1630. ENDANGERED AND THREATENED WILDLIFE AND PLANTS**

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened or neither, and are based solely on the biological information available to the Department.

**Timetable:**

**Indus River dolphin**  
NPRM 01/14/91 (56 FR 1464)  
NPRM (Reopening of Comment Period)  
10/07/91 (56 FR 50550)  
Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AB52

**1631. THE NATIONAL COASTAL WETLAND CONSERVATION GRANT PROGRAM**

**Priority:** Other Significant

**Legal Authority:** 16 USC 3954

**CFR Citation:** 50 CFR 84

**Legal Deadline:** None

**Abstract:** The National Coastal Wetland Conservation Grant Program was established through the Coastal Wetlands Planning, Protection and Restoration Act. Funding for this grant program is provided from a portion of the funds deposited in the Sport Fish Restoration Account of the Federal Aid program. The proposed rules for 50 CFR 84 will be used for uniform administration of this new grant program. Such rules are needed to establish procedures from the selection and uniform administration of grants funded under the Act. Since grantees are State agencies, the requirements contained in 43 CFR 12 are applicable to audits, costs, and administration of grants under this program.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Bob Lang, Chief, Division of Federal Aid, Department of the Interior, United States Fish and Wildlife Service, MS - 140 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2156

**RIN:** 1018-AB68

**1632. ENDANGERED AND THREATENED WILDLIFE AND PLANTS**

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Statutory. Final, Statutory.

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## Long-Term Actions

In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:****Peninsular bighorn sheep**

NPRM 05/08/92 (57 FR 19837)  
Final Action 00/00/00

**Santa Cruz wallflower**

NPRM 10/24/91 (56 FR 55107)  
NPRM (Reopening of Comment Period)  
05/26/92 (57 FR 21933)  
Final Action 00/00/00

**Scott's Valley spineflower**

NPRM 10/24/91 (56 FR 55107)  
NPRM (Reopening of Comment Period)  
05/26/92 (57 FR 21933)  
Final Action 00/00/00

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452, Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AB73

### 1633. ENDANGERED AND THREATENED WILDLIFE AND PLANTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.

In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat

for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:****Clubshell mussel**

NPRM 06/18/92 (57 FR 27203)  
Final Action 00/00/00

**Coachella Valley milk-vetch**

NPRM 05/08/92 (57 FR 19844)  
Final Action 00/00/00

**Fish Slough milk-vetch**

NPRM 05/08/92 (57 FR 19844)  
Final Action 00/00/00

**Lane Mountain milk-vetch**

NPRM 05/08/92 (57 FR 19844)  
Final Action 00/00/00

**Northern copperbelly water snake**

NPRM 08/19/93 (58 FR 43860)  
Final Action 00/00/00

**Northern riffleshell mussel**

NPRM 06/18/92 (57 FR 27203)  
Final Action 00/00/00

**Peirson's milk-vetch**

NPRM 05/08/92 (57 FR 19844)  
Final Action 00/00/00

**Shining milk-vetch**

NPRM 05/08/92 (57 FR 19844)  
Final Action 00/00/00

**Sodaville milk-vetch**

NPRM 05/08/92 (57 FR 19844)  
Final Action 00/00/00

**Triple-ribbed milk-vetch**

NPRM 05/08/92 (57 FR 19844)  
Final Action 00/00/00

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS - 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AB75

### 1634. ENDANGERED AND THREATENED WILDLIFE AND PLANTS

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.

In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify,

or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:****(Nihoa) Amaranthus brownii (NCN)**

NPRM 03/24/93 (58 FR 15828)  
Final Action 00/00/00

**(Nihoa) Loulu**

NPRM 03/24/93 (58 FR 15828)  
Final Action 00/00/00

**(Nihoa) Schiedea verticillata (NCN)**

NPRM 02/24/93 (58 FR 15828)  
Final Action 00/00/00

**(Niihau) Wahane**

NPRM 12/17/92 (57 FR 59970)  
Final Action 00/00/00

**Bidens cuneata, delisting**

NPRM 07/07/93 (58 FR 36387)  
Final Action 00/00/00

**Braunton's milk-vetch**

NPRM 11/30/92 (57 FR 56541)  
Final Action 00/00/00

**Conejo dudleya**

NPRM 11/30/92 (57 FR 56541)  
Final Action 00/00/00

**Hartweg's golden sunburst**

NPRM 11/30/92 (57 FR 56549)  
Final Action 00/00/00

**Hawaiian hawk**

NPRM 08/05/93 (58 FR 41684)  
Final Action 00/00/00

**Lyon's pentachaeta**

NPRM 11/30/92 (57 FR 56541)  
Final Action 00/00/00

**Marcrescent dudleya**

NPRM 11/30/92 (57 FR 56541)  
Final Action 00/00/00

**Rio Grande silvery minnow**

NPRM 03/01/93 (58 FR 11821)  
Final Action 07/20/94 (59 FR 36988)

**San Joaquin adobe sunburst**

NPRM 11/30/92 (57 FR 56549)  
Final Action 00/00/00

**Santa Monica Mountains dudleya**

NPRM 11/30/92 (57 FR 56541)  
Final Action 00/00/00

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AB88

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## Long-Term Actions

**1635. ENDANGERED AND THREATENED WILDLIFE AND PLANTS****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:****Appalachian elktoe**

NPRM 09/03/93 (58 FR 46940)  
Final Action 11/23/94 (59 FR 60324)

**Arroyo southwestern toad**

NPRM 08/03/93 (58 FR 41378)  
NPRM (Reopening of Comment Period)  
09/09/93 (58 FR 47428)  
Final Action 12/16/94 (59 FR 64859)

**Dugong**

NPRM 08/05/93 (58 FR 41688)  
Final Action 00/00/00

**Louisiana black bear, critical habitat**

NPRM 12/03/93 (58 FR 63560)  
NPRM (Reopening of Comment Period)  
03/07/94 (59 FR 10607)  
Final Action 00/00/00

**McFarlane's four-o'clock**

NPRM 08/26/93 (58 FR 45085)  
Final Action 00/00/00

**Pahrump poolfish**

NPRM 09/22/93 (58 FR 49279)  
Final Action 00/00/00

**Small Entities Affected:** None**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS - 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AB97**1636. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: EIGHT VERNAL POOL PLANTS OF THE CENTRAL VALLEY OF CALIFORNIA****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:****Colusa grass**

NPRM 08/05/93 (58 FR 41700)  
NPRM (Reopening of Comment Period)  
10/06/93 (58 FR 52063)  
Final Action 00/00/00

**Fleshy owl's grass**

NPRM 08/05/93 (58 FR 41700)  
NPRM (Reopening of Comment Period)  
10/06/93 (58 FR 52063)  
Final Action 00/00/00

**Greene's tuctoria**

NPRM 08/05/93 (58 FR 41700)  
NPRM (Reopening of Comment Period)  
10/06/93 (58 FR 52063)  
Final Action 00/00/00

**Hairy orcutt grass**

NPRM 08/05/93 (58 FR 41700)  
NPRM (Reopening of Comment Period)  
10/06/93 (58 FR 52063)  
Final Action 00/00/00

**Hoover's spurge**

NPRM 08/05/93 (58 FR 41700)  
NPRM (Reopening of Comment Period)  
10/06/93 (58 FR 52063)  
Final Action 00/00/00

**Sacramento orcutt grass**

NPRM 08/05/93 (58 FR 41700)  
NPRM (Reopening of Comment Period)  
10/06/93 (58 FR 52063)  
Final Action 00/00/00

**San Joaquin Valley orcutt grass**

NPRM 08/05/93 (58 FR 41700)  
NPRM (Reopening of Comment Period)  
10/06/93 (58 FR 52063)  
Final Action 00/00/00

**Slender orcutt grass**

NPRM 08/05/93 (58 FR 41700)  
NPRM (Reopening of Comment Period)  
10/06/93 (58 FR 52063)  
Final Action 00/00/00

**Small Entities Affected:** None**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC00**1637. ENDANGERED AND THREATENED WILDLIFE AND PLANTS****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:****Big-leaved crown-beard**

NPRM 10/01/93 (58 FR 51302)  
Final Action 00/00/00

**Del Mar manzanita**

NPRM 10/01/93 (58 FR 51302)  
Final Action 00/00/00

**Del Mar sand aster**

NPRM 10/01/93 (58 FR 51302)  
Final Action 00/00/00

**Encinitas baccharis**

NPRM 10/01/93 (58 FR 51302)  
Final Action 00/00/00

**Orcutt's spineflower**

NPRM 10/01/93 (58 FR 51302)  
Final Action 00/00/00

**Short-leaved dudleya**

NPRM 10/01/93 (58 FR 51302)  
Final Action 00/00/00

**Small Entities Affected:** None**Government Levels Affected:** State

## DOI—FWS

## Long-Term Actions

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1943

**RIN:** 1018-AC01

### 1638. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: THREE PUERTO RICAN TREES

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:**

**Ortegon**

NPRM 09/24/93 (58 FR 49960)  
NPRM (Reopening of Comment Period)  
11/25/94 (59 FR 60598)  
Final Action 00/00/00

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC04

### 1639. HUMANE AND HEALTHFUL TRANSPORT REGULATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 42; 15 USC 3371 to 3378

**CFR Citation:** 50 CFR 14

**Legal Deadline:** None

**Abstract:** The Service proposes to amend the regulations found in 50 CFR Subpart J. The current Humane and Healthful Transport regulations cover birds and mammals only. The statute requires regulations for all animals and regulations must be promulgated for reptiles, amphibians, and fish.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Susan Lieberman, CITES Policy Specialist, Department of the Interior, United States Fish and Wildlife Service, MS - 432 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2093

**RIN:** 1018-AC08

### 1640. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FLAT-TAILED HORNED LIZARD

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 to 1543

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed to list the Flat-tailed horned lizard as an endangered or threatened species. When prudent, critical habitat will also be identified.

**Timetable:**

Action	Date	FR Cite
NPRM	11/29/93	58 FR 62624
NPRM Comment Period End	01/28/94	58 FR 62624
NPRM (Reopening of Comment Period)	02/22/94	59 FR 8450
Next Action Undetermined		

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS - 452 Arlington Square, 1849 C Street NW., Washington, DC 20240

Phone: 703 258-2171

**RIN:** 1018-AC10

### 1641. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: SAN XAVIER TALUSSNAIL

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, the San Xavier talussnail under the Endangered Species Act. Where prudent, critical habitat will be identified for the endangered or threatened species. Such actions are taken only upon determination that the species is endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:**

Action	Date	FR Cite
NPRM	03/23/94	59 FR 13691
NPRM Comment Period End	05/23/94	

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC13

### 1642. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: RECLASSIFICATION OF THE LOCH LOMOND COYOTE THISTLE

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

## DOI—FWS

## Long-Term Actions

**Abstract:** Regulations will be developed which will list, reclassify, or delist, as appropriate, the Loch Lomond coyote thistle under the Endangered Species Act. Where prudent, critical habitat will be identified for the species. Such actions are taken upon determination that the species is endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:**

Action	Date	FR Cite
NPRM	11/29/93	58 FR 62629
NPRM Comment Period End	01/28/94	58 FR 62629

Next Action Undetermined

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC14

#### 1643. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: CRITICAL HABITAT FOR THE PECOS PUFFISH

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be proposed that will determine the appropriate status for the Pecos pupfish and identify critical habitat.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC18

#### 1644. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: ALASKA BREEDING POPULATION OF THE STELLER'S EIDERS

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will list, reclassify, or delist, as appropriate the Alaska breeding populations of the Steller's eiders under the Endangered Species Act, and where prudent, would identify critical habitat. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:**

Action	Date	FR Cite
NPRM	07/14/94	59 FR 35896
NPRM Comment Period End	11/14/94	59 FR 35896

**Barton Springs salamander**  
NPRM (Reopening of Comment Period)  
06/30/95 (60 FR 34225)  
Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 - Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC19

#### 1645. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: PARISH'S ALKALI GRASS

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will list, reclassify, or delist, as appropriate, Parish's alkali grass, under the Endangered Species Act, and where prudent, critical habitat is identified. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:**

Action	Date	FR Cite
NPRM	03/28/94	59 FR 14378
NPRM Comment Period End	05/27/94	

NPRM (Reopening of Comment Period)  
08/30/94 59 FR 44700

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452-Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC21

#### 1646. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: BARTON SPRINGS SALAMANDER

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which will determine the appropriate status of the Barton Springs salamander under the Endangered Species Act, and where prudent, will identify critical habitat. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:**

Action	Date	FR Cite
NPRM	02/17/94	59 FR 7968
NPRM Comment Period End	04/18/94	59 FR 7968

## DOI—FWS

## Long-Term Actions

**Barton springs salamander**

NPRM (Reopening of Comment Period)  
05/26/94 (59 FR 27257)

NPRM (Reopening of Comment Period)  
03/10/95 (60 FR 13105)

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC22

**1647. ENDANGERED AND THREATENED SPECIES: SACRAMENTO SPLITTAIL**

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will list, reclassify, or delist, as appropriate, the Sacramento splittail under the Endangered Species Act, and where prudent, will identify critical habitat. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:**

Action	Date	FR Cite
NPRM	01/06/94	59 FR 862
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC26

**1648. INCIDENTAL TAKE PROVISIONS FOR ENDANGERED AND THREATENED MIGRATORY BIRDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 65-186; 16 USC 703 to 704; 16 USC 712; 16 USC 1531 to 1543

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** The Service will establish a regulatory process for the authorization of the incidental taking of endangered or threatened migratory birds subject to the provisions of the Migratory Bird Treaty Act (MBTA). The proposed regulations would modify the existing regulations of the MBTA to authorize incidental take by deferring to the incidental take procedures. This provision will apply only to those species that are designated both as migratory birds and as endangered or threatened.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Paul Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, MS -635 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC29

**1649. RECLASSIFICATIONS OF SOME POPULATIONS OF SALTWATER CROCODILES WITH SPECIAL RULE FOR SALTWATER AND NILE CROCODILES**

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service will develop regulations to declassify populations of the Saltwater crocodile in Australia and determine the appropriate status for the Papua New Guinea populations. Also included in this rulemaking is a special rule to allow commercial trade in skins, other parts, and products of saltwater

crocodiles from Australia and Papua New Guinea populations and from Nile crocodiles in Appendix II of CITES. The combination of actions proposed will have the effect of stimulating legal and responsible trade in crocodile hides, and in this respect, constitutes removal of a barrier to trade.

**Timetable:**

Action	Date	FR Cite
NPRM	04/19/94	59 FR 18652
NPRM Comment Period End	07/18/94	59 FR 18652

Next Action Undetermined

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC30

**1650. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TWO CALIFORNIA BUTTERFLIES AND A SNAKE**

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing, no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for the Callippe silverspot butterfly, the Behren's silverspot butterfly, and the Alameda whipsnake. All three species, and the larval food plants on which the female butterflies lay their eggs are threatened by over-collection, commercial/residential development, alien plant competition, unsuitable levels of livestock grazing, trampling by hikers, livestock, and off-road vehicle use.

**Timetable:**

Action	Date	FR Cite
NPRM	02/04/94	59 FR 5377
NPRM Comment Period End	04/05/94	59 FR 5377

Next Action Undetermined

## DOI—FWS

## Long-Term Actions

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC32

### 1651. MARBELED MURRELET CRITICAL HABITAT DESIGNATION

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, January 21, 1994. Final, Statutory, January 27, 1995.

On November 2, 1993, the US District Court, Western District of Washington, ordered the Secretary to propose critical habitat for the marbled murrelet no later than January 21, 1994.

**Abstract:** Regulations will be developed to designate critical habitat for the marbled murrelet. Species ranges from Aleutian Archipelago in Alaska to central California. The species is listed as a threatened distinct vertebrate population segment in Washington, Oregon, and California.

**Timetable:**

Action	Date	FR Cite
NPRM	01/27/94	59 FR 3811
NPRM Comment	04/27/94	59 FR 3811
Period End		

**Marbled murrelet critical habitat**

NPRM (Supplemental) 08/10/95 (60 FR 40892)

Next Action Undetermined

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** State, Federal

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC33

### 1652. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: CALIFORNIA RED-LEGGED FROG

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing, no later than one year after such proposal.

**Abstract:** Regulations will be developed to determine the appropriate status of the California red-legged frog. Designation of critical habitat is not prudent at this time. This species occurs from Marin County south to Baja California, Mexico. Only 6 populations remain in the entire Central Valley hydrologic basin, the former stronghold of the species; extinction on the floor of the Central Valley occurred sometime before 1960.

**Timetable:**

Action	Date	FR Cite
NPRM	02/02/94	59 FR 4888
NPRM Comment	04/04/94	59 FR 4888
Period End		
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC34

### 1653. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: SPRING CREEK BLADDERPOD

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed to determine the appropriate

status for the Spring Creek bladderpod. The Spring Creek bladderpod is an annual member of the mustard family that grows on the floodplain of a limited number of streams in Tennessee.

**Timetable:**

Action	Date	FR Cite
NPRM	08/23/94	59 FR 43322
NPRM Comment	10/24/94	
Period End		
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC42

### 1654. RIGHTS-OF-WAY MANAGEMENT ON NATIONAL WILDLIFE REFUGES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 460k

**CFR Citation:** 50 CFR 29

**Legal Deadline:** None

**Abstract:** This rule will address management and maintenance of public highway rights-of-way established pursuant to revised Statute 2477 and located within the national wildlife refuge system, so as to be compatible with the purposes for which the refuge unit was established and to protect and conserve the surrounding lands and wildlife resources. Companion rules are being prepared by Bureau of Land Management and the National Park Service which will illustrate the claim for which agency rules will address management of such claims.

**Timetable:**

Action	Date	FR Cite
ANPRM	08/01/94	59 FR 39228
NPRM	08/01/94	59 FR 39216
ANPRM Comment	09/30/94	59 FR 39228
Period End		
NPRM Comment	09/30/94	
Period End		
Next Action Undetermined		

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Robert Shallenberger, Chief, Division of Refuge Management,



## DOI—FWS

## Long-Term Actions

Department of the Interior, United States Fish and Wildlife Service, MS - 670 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1744

RIN: 1018-AC45

#### 1655. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FIVE CALIFORNIA SIERRAN FOOTHILLS PLANTS

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed that will list, reclassify, or delist, as appropriate, five California plant species the Stebbins' morning-glory, Pine Hill ceanothus, Pine Hill flannelbush, El Dorado bedstraw, and Layne's butterweed under the Endangered Species Act. Where prudent, critical habitat will be identified. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

##### Timetable:

Action	Date	FR Cite
NPRM	04/20/94	59 FR 18774
NPRM Comment	07/19/94	59 FR 18774

Period End  
Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AC47

#### 1656. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: GOLDEN PAINTBRUSH

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will list, reclassify, or delist, as appropriate, the Golden paintbrush under the Endangered Species Act, and where prudent, will identify critical habitat. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

##### Timetable:

Action	Date	FR Cite
NPRM	05/10/94	59 FR 24106
NPRM Comment	07/04/94	59 FR 24106

Period End  
Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AC52

#### 1657. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: VIRGIN SPINEDACE

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will list, reclassify, or delist, as appropriate, the Virgin spinedace, a minnow endemic to the Virgin River and tributaries, under the Endangered Species Act. This species is located in southwestern Utah, northwestern Arizona, and southeastern Nevada. Where prudent, critical habitat will be identified. Such actions are taken upon the determination that species are endangered, threatened, or neither, and are based solely on the

biological information available to the Department.

##### Timetable:

Action	Date	FR Cite
NPRM	05/18/94	59 FR 25875
NPRM Comment	07/18/94	59 FR 25875

Period End  
Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AC53

#### 1658. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: INTERCROSS PROGENY POLICY AND DEFINITIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Fish and Wildlife Service and the National Marine Fisheries Service propose to amend the regulations implementing the Endangered Species Act by adding definitions for intercross and intercross progeny (to include hybrids). Also, 50 CFR 17.11(g) and 17.12(g) will be amended by adding wording to indicate that the listing of a taxon as endangered or threatened would include all individuals that share characteristic traits of that taxon, including individuals produced under conditions of confinement. The amendments are necessary in order to proceed with the evaluation and implementation of intercrossing as a recovery technique for the Florida panther.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AC54

## DOI—FWS

## Long-Term Actions

**1659. EXPORT OF AMERICAN GINSENG HARVESTED IN 1994-1996****Priority:** Routine and Frequent**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 23**Legal Deadline:** NPRM, Statutory.

**Abstract:** This proposed rule will announce findings on the export of American ginseng from the 1994-96 harvest season in 21 states. The Service reviews information and data as a basis for determining whether to continue approval of export from specified states for this harvest season, or to initiate changes. Also, North Dakota has applied to export cultivated ginseng under a State program, and Michigan has submitted draft legislation and is intending to apply soon to export ginseng.

**Timetable:**

Action	Date	FR Cite
NPRM	09/26/94	59 FR 49046
NPRM Comment Period End	10/26/94	
Next Action Undetermined		

**Small Entities Affected:** Businesses**Government Levels Affected:** State

**Agency Contact:** Marshall Jones, Chief, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS -421 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2093

**RIN:** 1018-AC55**1660. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: DELISSEA UNDULATA (NO COMMON NAME (NCN))****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, the Hawaiian plant, *Delissea undulata* (NCN) under the Endangered Species Act, and where prudent, would identify critical habitat.

**Timetable:**

Action	Date	FR Cite
NPRM	06/27/94	59 FR 32946
NPRM Comment Period End	08/26/94	59 FR 32946
NPRM (Reopening of Comment Period)	09/30/94	59 FR 49907
Next Action Undetermined		

**Small Entities Affected:** None**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC56**1661. GENERAL PROVISIONS AND GENERAL PERMIT PROCEDURES****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 10; 50 CFR 13; 50 CFR 17**Legal Deadline:** None

**Abstract:** The Service proposes to amend 50 CFR part 13 which provides uniform permit procedures relating to the application, issuance, renewal, suspension, revocation and general administration of Service permits. The Service's criteria for suspension and revocation of permits and its review procedures will also be revised. Permit fee rates are amended to increase rates for the cost of processing certain permits. This change is necessary in order to recover a larger percentage of the cost of processing the permits. Several new permit fee exemptions will be added.

**Timetable:**

Action	Date	FR Cite
NPRM	09/05/95	60 FR 46087
Next Action Undetermined		

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Thomas Striegler, Deputy Chief, Division of Law

Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS 500 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1949

**RIN:** 1018-AC57**1662. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: JAGUAR****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed to extend endangered status to the jaguar in the United States portion of its range, without critical habitat. The jaguar is currently listed as an endangered species from the U.S./Mexico border southward through Central and South America. Currently no known breeding population of jaguar is known in the United States.

**Timetable:**

Action	Date	FR Cite
NPRM	07/13/94	59 FR 35674
NPRM Comment Period End	09/11/94	59 FR 35674
Next Action Undetermined		

**Small Entities Affected:** None**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC61**1663. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: ARKANSAS RIVER SHINER****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for

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six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for the Arkansas River population of the Arkansas River shiner. This small minnow is endemic to the Arkansas River drainage in Arkansas, Kansas, New Mexico, Oklahoma, and Texas, but is presently almost entirely restricted to the Canadian/South Canadian River in Oklahoma, Texas, and New Mexico.

**Timetable:**

Action	Date	FR Cite
NPRM	08/03/94	59 FR 39532
NPRM Comment	10/03/94	59 FR 39532
Period End		

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC62

#### 1664. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: SEVEN FRESHWATER MUSSELS FROM ALABAMA, FLORIDA, AND GEORGIA

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for seven freshwater mussels from the Apalachicola Region of SE Alabama, SW Georgia and north Florida. The seven species are: Chipola slabshell, Purple bankclimber, Fat three-ridge, Shiny-rayed pocketbook Gulf moccasinshell, Ochlockonee moccasinshell, and Oval pigtoe. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	08/03/94	59 FR 39524
NPRM Comment	11/01/94	59 FR 39524
Period End		
Final Action	00/00/00	
<b>Seven freshwater mussels</b>		
NPRM (Reopening of Comment Period)	12/12/94 (59 FR 63987)	
<b>7 freshwater mussels from AL, FL and GA</b>		
NPRM (Reopening of Comment Period)	04/24/95 (60 FR 20072)	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC63

#### 1665. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FIVE FRESHWATER MUSSELS

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for five freshwater mussels under the Endangered Species Act. The five species are the Cumberland elktoe, Oyster mussel, Cumberlandian combshell, Purple bean, and Rough rabbitsfoot. Where prudent, critical habitat will be identified. Such actions are taken upon the determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:**

Action	Date	FR Cite
NPRM	07/14/94	59 FR 35900
NPRM Comment	09/12/94	59 FR 35900
Period End		
<b>five freshwater mussels</b>		
NPRM (Reopening of Comment Period)	11/16/94 (59 FR 59200)	
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC64

#### 1666. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TWO PLANTS FROM SOUTHWESTERN CALIFORNIA

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service will develop regulations that will determine the appropriate status for two plants the Cuyamaca Lake doweringia and Parish's meadowfoam. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	08/04/94	59 FR 39879
NPRM Comment	10/31/94	59 FR 49045
Period End		

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC65

#### 1667. MARINE MAMMAL PROTECTION ACT AMENDMENTS OF 1994

**Priority:** Other Significant

**Legal Authority:** PL 103-238

**CFR Citation:** 50 CFR 13; 50 CFR 18

**Legal Deadline:** Final, Statutory, January 1, 1995.

**Abstract:** The Service will develop regulations that will implement the

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Marine Mammal Protection Act Amendments of 1994. Permit issuance criteria will be established for the importation of polar bear parts (other than internal organs) taken in sport hunts in Canada, including polar bears taken but not imported prior to the date of enactment of the Marine Mammal Protection Act amendments. Subsequent rules will provide permitting criteria and/or procedures for activities which impact upon marine mammals, including the taking of a marine mammal by harassment in the course of scientific research, the use of marine mammals for public display, scientific research or enhancement, and for the implementation of take reduction plans. Such rules may be developed jointly by the Fish and Wildlife Service and the National Marine Fisheries Service, Department of Commerce.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Margaret Tieger, Acting Chief, Branch of Permits, Department of the Interior, United States Fish and Wildlife Service, MS -420 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2104

**RIN:** 1018-AC68

#### 1668. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: MAGUIRE DAISY

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for the Maguire daisy. This perennial herb is restricted to desert shrub-lands in south-central Utah. Critical habitat is not being recommended at this time

**Timetable:**

Action	Date	FR Cite
NPRM	09/07/94	59 FR 46219

Action	Date	FR Cite
NPRM Comment Period End	11/07/94	
Next Action Undetermined		
<b>Small Entities Affected:</b> None		
<b>Government Levels Affected:</b> State		
<b>Agency Contact:</b> E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240 Phone: 703 358-2171		
<b>RIN:</b> 1018-AC71		

#### 1669. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: EGGERT'S SUNFLOWER

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for the Eggert's sunflower, a perennial member of the aster family. This species is presently known from Alabama, Tennessee, and Kentucky. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	09/09/94	59 FR 46607
NPRM Comment Period End	11/08/94	
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC74

#### 1670. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: ARMORED SNAIL

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for the Armored snail under the Endangered Species Act. Where prudent, critical habitat will be identified. This snail is known from only two creeks in the Limestone Creek drainage in Limestone County, Alabama.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC75

#### 1671. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TROPICAL BUTTERFLIES

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service will develop regulations that will determine the appropriate status for up to 27 species of tropical butterflies.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC76

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**1672. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TROPICAL BIRDS****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.**Abstract:** Regulations will be developed that will determine the appropriate status for up to 38 species of tropical birds.**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171**RIN:** 1018-AC77**1673. REFUGE-SPECIFIC HUNTING AND FISHING REGULATIONS****Priority:** Routine and Frequent**Legal Authority:** 16 USC 460k; 16 USC 668dd**CFR Citation:** 50 CFR 32**Legal Deadline:** None**Abstract:** The Service will review annually, and prior to each hunting season, may amend hunting regulations for specific national wildlife refuges.**Timetable:**

Action	Date	FR Cite
NPRM	08/16/95	60 FR 42668
Final Action	12/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Robert Shallenberger, Chief, Division of Refuges, Department of the Interior, United States Fish and Wildlife Service, MS -670 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1744**RIN:** 1018-AC80**1674. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: SAN DIEGO FAIRY SHRIMP****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.**Abstract:** The Service will propose regulations that will determine the appropriate status for the San Diego fairy shrimp. This species occurs in vernal pools within San Diego County in southwestern California, and its range extends into northwestern Baja California, Mexico. Critical habitat is not being proposed at this time.**Timetable:**

Action	Date	FR Cite
NPRM	08/04/94	59 FR 39874
NPRM Comment	10/26/94	59 FR 49025
Period End		
San Diego fairy shrimp		
NPRM (Reopening of Comment Period)	01/03/95 (60 FR 69)	
Next Action Undetermined		

**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171**RIN:** 1018-AC83**1675. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TWO CALIFORNIA BUTTERFLIES****Priority:** Other Significant**Legal Authority:** 16 USC 1533 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.**Abstract:** The Service will propose regulations that will determine the appropriate status for two butterflies--the Laguna Mountains skipper, found

in Laguna and Palomar Mountains of San Diego County, and the Quino checkerspot found in north-central and southern San Diego County and northwestern Baja California, Mexico. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	08/04/94	59 FR 39868
NPRM Comment	10/31/94	59 FR 49045
Period End		

Next Action Undetermined

**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171**RIN:** 1018-AC84**1676. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: CACTUS FERRUGINOUS PYGMY-OWL****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.**Abstract:** Regulations will be developed that will determine the appropriate status for the cactus ferruginous pygmy-owl. The Service proposes to list the species as endangered in Arizona, with critical habitat, and as threatened in Texas.**Timetable:**

Action	Date	FR Cite
NPRM	12/12/94	59 FR 63975
NPRM Comment	02/10/95	59 FR 63975
Period End		

NPRM (Reopening of Comment Period) 04/14/95 60 FR 19013

Next Action Undetermined

**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United

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States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AC85

#### 1677. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FOUR SOUTHWESTERN CALIFORNIA PLANTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed to determine the appropriate status for four plants found in southwestern California and northwestern Baja California, Mexico. These species are: Munz's onion, San Jacinto Valley crownscale, Thread-leaved brodiaea, and Spreading navarretia. These four plants occur in vernal pools and other wetlands or on clay soils and moist grasslands throughout their range. Critical habitat will be proposed for the San Jacinto Valley crownscale, only at this time.

#### Timetable:

Action	Date	FR Cite
NPRM	12/15/94	59 FR 64794
NPRM Comment Period End	02/13/95	59 FR 64794
NPRM (Reopening of Comment Period)	03/07/95	60 FR 12531
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AC88

#### 1678. CRITICAL HABITAT DESIGNATION FOR THE LOST RIVER AND SHORNOSE SUCKERS

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will identify critical habitat for the Lost River and Shortnose suckers, two species federally listed as endangered. Both species are endemic to the Upper Klamath River Basin of Oregon and California.

#### Timetable:

Action	Date	FR Cite
NPRM	12/01/94	59 FR 61744
NPRM Comment Period End	01/30/95	59 FR 61744
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 340 ARLSQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-3171

RIN: 1018-AC90

#### 1679. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: LEAST CHUB

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend that rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for the Least chub under the Endangered Species Act.

#### Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240

Phone: 703 358-2171

RIN: 1018-AC91

#### 1680. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: HOLMGREN'S MILKVETCH AND SHEM'S MILKVETCH

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend that rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for two plants--Holmgren's milkvetch and Shem's milkvetch--under the Endangered Species Act.

#### Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AC92

#### 1681. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: 4 CALIFORNIA PLANTS FROM VERNAL POOLS

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for four plants--Contra Costa gold fields, Few-flowered navarretia, Many-flowered navarretia, and the Lake County stone crop. These species grow in and around the margins

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of vernal pools and in seasonally wet areas in northern California.

**Timetable:**

Action	Date	FR Cite
NPRM Comment Period End	02/17/94	59 FR 65311
NPRM	12/19/94	59 FR 65311
NPRM (Reopening of Comment Period)	03/16/95	60 FR 14253
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC96

#### 1682. EMERGENCY RECLASSIFICATION OF THE SNAKE RIVER SPRING/SUMMER CHINOOK SALMON

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service is reclassifying the Snake River spring/summer chinook salmon and the Snake River fall chinook salmon from threatened to endangered under the emergency provisions of the Endangered Species Act. This action reflects a determination by the National Marine Fisheries Service, Department of Commerce, which has jurisdiction for these species, that the species warrant emergency reclassification based on a projected decline in adult Snake River salmon abundance. This determination by the National Marine Fisheries Service was published in the Federal Register on August 18, 1994.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/02/94	59 FR 54840
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** State

**Additional Information:** During the 240 days this emergency rule is in effect, National Marine Fisheries Service will initiate and complete a rulemaking (with public comment period) to extend

the reclassification of Snake River spring/summer and fall chinook salmon to endangered status under the Act until such time as reclassification or delisting is warranted. The action of the Fish and Wildlife Service to amend the List in accordance with the determination by NMFS is nondiscretionary.

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC97

#### 1683. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TWO SAN FRANCISCO PLANTS

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for 2 plants--San Francisco lessingia and the San Bruno Mountains manzanita. The San Francisco lessingia currently restricted to the Presidio in San Francisco County. The San Bruno manzanita is currently found only on San Bruno Mountain in San Mateo County.

**Timetable:**

Action	Date	FR Cite
NPRM	10/04/94	59 FR 50550
NPRM Comment Period End	12/05/94	59 FR 50550
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC98

#### 1684. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: 10 PLANTS FROM THE CALIFORNIA SIERRA NEVADA MOUNTAINS FOOTHILLS

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine appropriate status for 10 plants: Chinese Camp brodiaea, Piute Mountains navarretia, Carpenteria, Springville clarkia, Kelso Creek monkeyflower, Red Hills vervain, Rawhide Hill onion, Mariposa lupine, Mariposa pussypaws, and Greenhorn adobe lily, under the Endangered Species Act. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	10/04/94	59 FR 50540
NPRM Comment Period End	12/05/94	59 FR 50540
NPRM (Reopening of Comment Period)	12/29/94	59 FR 67268
NPRM (Reopening of Comment Period)	02/14/95	60 FR 8342
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC99

#### 1685. REVISION OF MIGRATORY BIRD HUNTING REGULATIONS, 50 CFR PART 20

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

## DOI—FWS

## Long-Term Actions

**Legal Authority:** 16 USC 703 to 711; 16 USC 712; 16 USC 742a to 742d; 16 USC 742e to 742j

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

**Abstract:** The Service proposes to revise and update regulations governing migratory bird hunting. Changes will be proposed that will clarify and include all the specific prohibitions in Part 20 to apply to migratory game hunting during closed and open hunting seasons.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** John J. Doggett, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS 500 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1949

**RIN:** 1018-AD01

#### 1686. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: NORTHERN AND SOUTHERN POPULATIONS OF THE BOG TURTLE

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for the northern population (ranges from New York to Maryland) of the bog turtle, and the southern population (ranges from southwestern Virginia to northern Georgia) as endangered due to similarity of appearance. This action is being taken because of constriction of the species' range, the declining size of remaining populations, and illegal collection. Critical habitat is not being proposed at this time.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD05

#### 1687. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: REINTRODUCTION OF A NONESSENTIAL EXPERIMENTAL POPULATION OF MEXICAN WOLVES

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** Regulations will be developed designating a nonessential experimental population of Mexican wolves, three family groups per year for five years, into the Blue Range Area (Arizona) primary wolf recovery zone and allow population expansion into secondary wolf recovery zones in the Apache and Gila National Forests in New Mexico.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD07

#### 1688. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FOR CALIFORNIA PLANTS AND THE BLACK LEGLESS LIZARD

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for five plants--

Coastal dunes milk-vetch, Yadon's piperia, Hickman's potentilla, Monterey clovers, Gowen cypress, and the Black legless lizards--under the Endangered Species Act. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	08/02/95	60 FR 39326
NPRM Comment Period End	09/25/95	

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD09

#### 1689. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: THREE SOUTHERN ARIZONA CIENEGA SPECIES

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for three Arizona cienega plant species: Canela Hills ladies'-tresses (without critical habitat), Huachuca water umbel and Sonora tiger salamander, with critical habitat, under the Endangered Species Act. These species are located in three counties in southern Arizona and northern Sonora, Mexico.

**Timetable:**

Action	Date	FR Cite
NPRM	04/03/95	60 FR 16836
Three southern Arizona cienega species NPRM (Reopening of Comment Period)	06/22/95	(60 FR 32483)

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species,



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Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD11

#### 1690. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TWO SAN FRANCISCO MARSH PLANTS

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for two San Francisco marsh plants, Suisun thistle and Soft bird's-beak, under the Endangered Species Act. These two species are restricted to either salt or brackish marshes within the greater San Francisco Bay area in northern California.

**Timetable:**

Action	Date	FR Cite
NPRM	06/12/95	60 FR 31000
NPRM Comment Period End	07/27/95	

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD14

#### 1691. MARINE MAMMAL PROTECTION ACT

**Priority:** Other Significant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

**Abstract:** The Service's definition of authentic Native articles of handicrafts and clothing must be revised to reflect

a 1991 Alaska District Court ruling upheld on appeal in 1992, that Alaskan Natives may create and sell handicrafts and clothing made from sea otters. This regulatory action would effect this necessary change.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Robert Peoples, Acting Chief, Division of Fish and Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service, MS 840 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1718

**RIN:** 1018-AD15

#### 1692. MARINE MAMMAL PROTECTION ACT; LETHAL TAKE FOR HUMAN PROTECTION

**Priority:** Other Significant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

**Abstract:** Section 101(c) of the Marine Mammal Protection Act as amended in April 1994, allows lethal take of marine mammals for human health and safety. The Secretary may seize and dispose of any carcass so taken. This regulatory action proposes to implement this statutory provision.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Robert Peoples, Acting Chief, Division of Fish and Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service, MS 840 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1718

**RIN:** 1018-AD16

#### 1693. MARINE MAMMAL PROTECTION ACT; IMPORTATION OF MARINE MAMMAL PRODUCTS ARE PERSONAL EFFECTS FOR NON-COMMERCIAL CULTURAL EXCHANGES

**Priority:** Other Significant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

**Abstract:** The Marine Mammal Protection Act as amended, eases import restrictions on marine mammal products if such products are personal effect items or for non-commercial cultural exchanges. This regulatory action would implement this statutory provision.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Robert Peoples, Acting Chief, Division of Fish and Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service, MS 840 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1718

**RIN:** 1018-AD17

#### 1694. MARINE MAMMAL PROTECTION ACT; UNINTENTIONAL TAKE OF MARINE MAMMALS BY HARASSMENT ONLY IN ACTIVITIES OTHER THAN COMMERCIAL FISHING

**Priority:** Other Significant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

**Abstract:** The Marine Mammal Protection Act as amended in April 1994, authorizes the Secretary to allow U.S. citizens to incidentally, unintentionally take small numbers of marine mammals by harassment only for periods up to one year during specified activities other than commercial fishing. This regulatory action would implement this statutory provision.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Robert Peoples, Acting Chief, Division of Fish and Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service, MS 840 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1718

**RIN:** 1018-AD18

## DOI—FWS

## Long-Term Actions

**1695. MARINE MAMMAL PROTECTION ACT; MEASURES TO SAFELY DETER MARINE MAMMALS, INCLUDING THREATENED AND ENDANGERED MARINE MAMMALS****Priority:** Other Significant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 18**Legal Deadline:** None

**Abstract:** The Marine Mammal Act as amended in April 1994, requires the Service to develop a list of guidelines to safely deter marine mammals for which the Service has statutory management responsibility, including threatened and endangered species. Such measures of deterrence are for use in protecting: (1) fishing gear or catch; (2) private property; (3) personal human safety, or (4) public property. This regulatory action would implement these statutory provisions.

**Timetable:** Next Action Undetermined**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Robert Peoples, Acting Chief, Division of Fish and Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service, MS 840 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1718

**RIN:** 1018-AD19**1696. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SPECIAL RULE FOR THE NORTHERN SPOTTED OWL****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** The Service will propose a section 4(d) rule for the northern spotted owl under the Endangered Species Act that will define the conditions under which incidental take of the species through habitat modification would not be a violation of Section 9 of the Act. An environmental impact statement is also being prepared, and will be available for review concurrent with the proposed rule.

**Timetable:**

Action	Date	FR Cite
NPRM	02/17/95	60 FR 9484
NPRM Comment	05/18/95	
Period End		

**Northern spotted owl**

NPRM (Reopening of Comment Period)	05/18/95 (60 FR 26712)
NPRM (Reopening of Comment Period)	07/17/95 (60 FR 36382)
NPRM (Reopening of Comment Period)	09/25/95 (60 FR 49358)
Comment Period Extended to	11/24/95
Next Action	Undetermined

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD20**1697. MARINE MAMMALS; INCIDENTAL TAKE DURING SPECIFIED ACTIVITIES****Priority:** Other Significant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 18**Legal Deadline:** Final, Statutory, June 15, 1995.

**Abstract:** Provisions contained in 50 CFR 18.122 require that the Fish and Wildlife Service develop and begin implementing a polar bear habitat conservation strategy by June 15, 1995 for Beaufort Sea incidental take regulations found at 50 CFR 18, Subpart J, to remain in effect for an additional 42 months after June 15, 1995. The revised regulations will enable the United States to enhance its implementation of the ecosystem protection provisions of the Marine Mammal Protection Act and the 1973 International Agreement on the conservation of polar bears.

**Timetable:**

Action	Date	FR Cite
NPRM	03/17/95	60 FR 14408
NPRM Comment	05/16/95	
Period End		

**Marine mammals incidental take activities**  
NPRM (Reopening of Comment Period)  
06/14/95 (60 FR 31258)

Next Action Undetermined

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Robert Peoples, Acting Chief, Fish and Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service, MS 840 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1718

**RIN:** 1018-AD21**1698. • TAXONOMIC CHANGE FROM SUBSPECIES TO VERTEBRATE POPULATION SEGMENT FOR THE VIRGIN RIVER CHUB****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** Recent taxonomic work concluded that specific rank is warranted for the Virgin River chub, a federally listed endangered species found in the Virgin River system of Arizona, Nevada, and Utah. Additionally, researchers concluded that the chub in the Muddy River of Nevada, is conspecific with the Virgin River chub. Previously this distinctive population of the Virgin River chub, a category 2 candidate for Federal listing, was considered a separate, unnamed subspecies of roundtail chub, and was referred to as the Moapa roundtail chub. Because of this recent taxonomic work, the Service accepts that specific rank is warranted for the Virgin River chub and proposes to change the listing of the Virgin River chub in the Virgin River from a subspecies to a vertebrate population segment in the List of Endangered and Threatened Wildlife. In addition, the Service initiates a status review of the Virgin River chub in the Muddy River to determine whether this vertebrate population warrants listing as a threatened or endangered species.

**Timetable:**

Action	Date	FR Cite
NPRM	07/24/95	60 FR 37866
NPRM Comment	09/22/95	
Period End		
Next Action	Undetermined	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Local

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species,

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Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AD22

#### 1699. • CRITICAL HABITAT PROPOSAL FOR VIRGIN RIVER FISHES

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service proposes to designate critical habitat for the Virgin River Chub, the Woundfin and Virgin spinedace. The Virgin River chub and Woundfin are listed as endangered; the Virgin spinedace has been proposed for listing as threatened (May 18, 1994), but the listing has not been finalized as yet.

#### Timetable:

Action	Date	FR Cite
NPRM	04/05/95	60 FR 17296
NPRM Comment	06/05/95	
Period End		

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Additional Information:** This rulemaking was inadvertently published as RIN 1018-AD22. The final rule will be published with the correct RIN 1018-AD23.

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AD23

#### 1700. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: EXEMPTION OF SMALL PRIVATE LANDOWNERS AND LOW IMPACT ACTIVITIES FROM ENDANGERED SPECIES ACT REQUIREMENTS FOR THREATENED SPECIES

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99-625

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service proposes to amend the general regulations for threatened species under Endangered Species Act by establishing a new exemption for certain small landowners and low impact activities that are presumed to individually or cumulatively have little or no lasting effect on the likelihood of survival and recovery of threatened species of fish and wildlife, and, therefore, have only minor or negligible adverse effects. This exemption would be applied to all threatened species of fish and wildlife listed in the future unless the Service concluded for a given species that the exemption was inappropriate because its individual or cumulative biological effects would not be insignificant for the species as a whole. This proposal also seeks to establish an additional general exemption for activities that are conducted in accordance with a State-authorized or -developed habitat conservation strategy for threatened species which the Service has found to comprehensively address the threats to the species and promote the species' survival and recovery.

#### Timetable:

Action	Date	FR Cite
NPRM	07/20/95	60 FR 37419
NPRM Comment	09/18/95	
Period End		

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United

States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AD24

#### 1701. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: PROPOSED ENDANGERED STATUS FOR 13 PLANTS FROM THE ISLAND OF HAWAII

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.  
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for 13 plant taxa from the Island of Hawaii, State of Hawaii. All of the 13 taxa and their habitats have been variously affected or are currently affected by several factors including competition from naturalized, introduced vegetation, habitat degradation by wild, feral, or domestic animals and habitat loss and damage from fires, predation, natural disasters, (volcanic activity).

#### Timetable:

Action	Date	FR Cite
NPRM	09/25/95	60 FR 49377
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** Local

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AD25

#### 1702. • MIGRATORY BIRDS: TAKE PROVISIONS FOR BALD EAGLES

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 22

**Legal Deadline:** None

**Abstract:** The Service proposes to outline the permit process for take of

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bald eagles under the Bald and Golden Eagle Protection Act when incidental take is authorized under the Endangered Species Act. This proposed rulemaking will outline a process where an action affecting bald eagles would first be assessed under Section 7 or 10 of the Endangered Species Act to determine whether it is likely to jeopardize the species. If take is anticipated, an Endangered Species Act incidental take statement or habitat conservation plan permit with reasonable and prudent measures to minimize that take would be developed. That statement/permit would then be reviewed by the Service for addition of any appropriate migratory bird management provisions.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Paul R. Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, MS -634 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1714

**RIN:** 1018-AD26

### 1703. • ADDITION OF OTTAWA NATIONAL WILDLIFE REFUGE TO LIST OF OPEN AREAS FOR BIG GAME HUNTING IN OHIO

**Priority:** Other Significant

**Legal Authority:** 16 USC 460k

**CFR Citation:** 50 CFR 32

**Legal Deadline:** None

**Abstract:** The Service proposes to add Ottawa National Wildlife Refuge to the list of areas open for big game hunting (white-tailed deer) in Ohio along with pertinent refuge-specific regulations for such activities. Ottawa National Wildlife Refuge is situated on the southwestern side of Lake Erie in what was once part of a 300,000 acre forested wetland known as the Great Black Swamp. National wildlife refuges are generally closed to hunting and sport fishing until opened by rulemaking.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert Shallenberger, Chief, Division of Refuges, Department

of the Interior, United States Fish and Wildlife Service, MS -670 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1744

**RIN:** 1018-AD31

### 1704. • PROPOSED JOINT COUNTERPART ENDANGERED SPECIES ACT SECTION 7 CONSULTATION REGULATIONS

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 402

**Legal Deadline:** None

**Abstract:** It is the consensus among the involved agencies that Section 7 consultations should occur at the level or levels that would most efficiently address impacts to proposed or listed species and their critical habitats. Accordingly, the Fish and Wildlife Service will propose joint regulations with the Department of Commerce that will provide more streamlined Section 7 consultation process on land management planning decisions and site-specific actions implemented under the management framework established by those plans.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD32

### 1705. • SEVEN PLANTS FROM THE MOUNTAINS OF SOUTHERN CALIFORNIA

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** The Service will develop regulations that will determine the appropriate status for seven plants from

the mountains of southern California: San Bernadino bluegrass, and California dandelion, Johnson's rock-cress, Bear Valley sandwort, Ash-grey Indian paintbrush, Southern mountain wild buckwheat, and Hidden Lake bluecurls.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD34

### 1706. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: PALLID MANZANITA

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for the Pallid manzanita. This plant species is found only in dry chaparral habitat within or near the northern Diablo Range of California in Alameda and Contra Costa Counties. The species is threatened by shading and competition from native and non-native plants, fire suppression, habitat regulatory mechanisms, and stochastic events by virtue of the small isolated nature of the remaining populations. All occurrences of this species are located on state, county and private lands.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD35

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## Long-Term Actions

**1707. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: NINE PLANTS FROM CALIFORNIA****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.**Abstract:** Regulations will be developed that will determine the appropriate status for nine California plants: Sonoma alopecurus, Clara Hunt's milkvetch, white sedge, Vine Hill clarkia, Pitkin marsh lily, Calistoga allocarya, Napa bluegrass, Kenwood marsh checkermallow, and Showy Indian clover. These plants are found in the grasslands and mesic areas of the central coast of California. Critical habitat is not being proposed at this time.**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171**RIN:** 1018-AD36**1708. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: THREE PLANTS FROM THE CHANNEL ISLANDS OF SOUTHERN CALIFORNIA****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.**Abstract:** Regulations will be developed that will determine the appropriate status for the three plants: Catalina Island mountain-mahogany, San Clemente Island woodland star, and the Santa Cruz Island rockcress.

These three plants occur on the Southern California Channel Islands. Critical habitat is not being proposed at this time.

**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171**RIN:** 1018-AD37**1709. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FOUR SOUTHWESTERN CALIFORNIA PLANTS****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.**Abstract:** Regulations will be developed that will determine the appropriate status for four California plants: San Diego thornmint, Laguna Beach liveforever, Otay tarweed and Willoway monardella. These species are found in San Diego County and northern Baja, California. Critical habitat is not being proposed at this time.**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171**RIN:** 1018-AD38**1710. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: SIXTEEN PLANT TAXA FROM THE NORTHERN CHANNEL ISLANDS, CALIFORNIA****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory.

In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for sixteen plant taxa from California: Hoffmann's rock-cress, Santa Rosa Island manzanita, Island barberry, Soft-leaved paintbrush, Santa Rosa Island dudleya, Munchkin dudleya, Santa Cruz Island dudleya, Island bedstraw, Hoffmann's slender-flowered gilia, Island rush-rose, Island alumroot, Santa Cruz Island bushmallow, Santa Cruz Island malacothrix, Island malacothrix, Island phacelia, and Santa Cruz Island fringe-pod. The plant taxa and their habitats have been affected by soil loss, habitat alteration by mammals alien to the Channel Islands, direct predation by these same alien mammals, habitat alteration by native seabirds, and seabirds and vehicular traffic, overcollection for scientific or recreational purposes, and competition from other plants. All 16 taxa are endemic to the northern Channel Islands (Anacapa, Santa Cruz, Santa Rosa, and San Miguel) with the exception of one population of island rush-rose that occurs on the more southerly island of Santa Catalina.**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171**RIN:** 1018-AD39**1711. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: DESIGNATION OF EXPERIMENTAL NONESSENTIAL WHOOPING CRANE POPULATIONS****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** The Service proposes to designate the whooping crane

## DOI—FWS

## Long-Term Actions

population in the Rocky Mountains as an experimental nonessential population and to remove whooping crane critical habitat designations from four national wildlife refuges: Bosque del Apache in New Mexico, Monte Vista and Alamosa in Colorado, and Grays Lake in Idaho. The private lands involved are holdings inside refuge boundaries and a 1-mile buffer around Grays Lake National Wildlife Refuge. The Service further proposes to use this population, and captive-reared sandhill cranes and whooping cranes, in experiments to evaluate methods for introducing whooping cranes into the wild where migration is required.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD45

**1712. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: PROPOSED ENDANGERED OR THREATENED STATUS FOR 19 PLANT SPECIES FROM THE ISLAND OF KAUAI, HAWAII**

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for 22 plants from the Island of Kauai, Hawaii: *Alsiniidendron lychnoides* (kauawawaenohu); *Alsiniidendron viscosum* (no common name (NCN)); *Cyanea recta* (haha); *Cyanea remyi* (haha); *Cyanea ea* sp. nov. (ha ha); *Cyrtandra cyaneoides* (mapele) *Delissea rivularis* ('oha); *Hibiscadelphus* sp. nov. (hau kuahiwi); *Hibiscus waimeae* ssp. *hanneriae* (koki'o ke'oke'o); *Kokia kauaiensis* (koki'o); *Labordia tinifolia* var. *wahiawaensis* (kamakahala); *Myrsine linearifolia* (kolea); *Phyllostegia*

*knudenii* (NCN); *Phyllostegia wawrana* (NCN); *Pritchardia napaliensis*; (loulou); *Pritchardia viscosa* (loulou); *Schiedea helleri* (NCN); *Schiedea membranacea* (NCN); *Viola kauaensis* var. *wahiawaensis* (nani wai'ale'ale). Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	09/25/95	60 FR 49359
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. Laverne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD46

**1713. • ENDANGERED SPECIES LISTING: NOGAL OR WEST INDIAN WALNUT**

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** The Service will propose regulations that will determine the appropriate status for the Nogal or West Indian walnut. The large forest tree is known from the Islands of Hispaniola, Cuba and Puerto Rico. Critical habitat is not being proposed at this time.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD47

**1714. • ENGANGERED SPECIES LISTING: CORDIA BELLONIS (NO COMMON NAME)**

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** The Service will propose regulations that will determine the appropriate status for *cordia bellonis* (no common name) under the Endangered Species Act. This shrub is endemic to Puerto Rico. Critical habitat is not being proposed at this time.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD48

**1715. • ENDANGERED SPECIES LISTING: THREE PLANTS FROM MOLOKAI, HAWAII**

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** The Service will propose regulations that will determine the appropriate status for 3 plants from the Island of Molokai, Hawaii; *Cyanea du bariil* (haha); *Lysimachia maxima* (No Common Name (NCN)); and *Schiedea sarmentosa* (NCN).

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVern Smith, Chief, Division of Endangered Species, Department of the Interior, United

## DOI—FWS

## Long-Term Actions

States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AD49

**1716. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: 42 SOUTH AMERICAN BIRDS**

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.

In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for 42 kinds of birds found in South America, including the Galapagos Islands. All have restricted distributions and are threatened by habitat destruction and various other factors.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS -452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AD59

## DEPARTMENT OF THE INTERIOR (DOI)

## Completed Actions

## United States Fish and Wildlife Service (FWS)

**1717. ENDANGERED AND THREATENED WILDLIFE AND PLANTS**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
End Review	04/19/94	59 FR 18652

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief

Phone: 703 358-2171

RIN: 1018-AB42

**Completed:**

Reason	Date	FR Cite
End Review - no action warranted at this time.	09/05/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Paul R. Schmidt, Chief

Phone: 703 358-1838

RIN: 1018-AB77

**1721. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: REVISION OF THE SPECIAL RULE FOR NONESSENTIAL EXPERIMENTAL POPULATIONS OF RED WOLVES IN NORTH CAROLINA AND TENNESSEE**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	04/13/95	60 FR 18940
Final Action Effective	04/13/95	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

RIN: 1018-AC03

**1718. ENDANGERED AND THREATENED WILDLIFE AND PLANTS**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Withdrawn	04/04/94	59 FR 15696

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

RIN: 1018-AB56

**1720. MIGRATORY BIRD HUNTING: HUNTING REGULATIONS FOR RESTRICTION OF SHOTSHELL LENGTH AND MAXIMUM SHOT SIZE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 20

**Completed:**

Reason	Date	FR Cite
Withdrawn - no action indicated at this time	09/06/95	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Keith Morehouse  
Phone: 703 358-1714

RIN: 1018-AB80

**1722. POLICY ON HEALTH CERTIFICATION FOR TRANSLOCATION/RELEASE OF ANIMALS UNDER SERVICE JURISDICTION**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 21; 50 CFR 22; 50 CFR 80; 50 CFR 17; 50 CFR 18

**Completed:**

Reason	Date	FR Cite
End Review - No action necessary at this time.	09/12/95	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** Paul R. Schmidt

**1719. RELEASE AND HARVEST OF CAPTIVE-BRED WATERFOWL**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 21.13; 50 CFR 21.14

## DOI—FWS

## Completed Actions

Phone: 703 358-1714

RIN: 1018-AC40

**1723. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: ARABIAN WOLF****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
End Review	09/12/95	

**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

RIN: 1018-AC43

**1724. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: RECLASSIFICATION OF THE BALD EAGLE****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	07/12/95	60 FR 36000
Final Action Effective	08/12/95	

**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

RIN: 1018-AC48

**1725. CLOSURE OF O'MALLEY RIVER AREA IN KODIAK NATIONAL WILDLIFE REFUGE, ALASKA****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 36**Completed:**

Reason	Date	FR Cite
Final Action	07/19/95	60 FR 37308
Final Action Effective	08/18/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Robert Shallenberger  
Phone: 703 358-1744

RIN: 1018-AC49

**1726. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: THREE CALIFORNIA INSECTS****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	12/02/94	59 FR 62254

**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

RIN: 1018-AC50

**1727. IMPORTATION OF EXOTIC WILD BIRDS TO THE UNITED STATES; AMENDMENT OF FINAL RULE IMPLEMENTING THE WILD BIRD CONSERVATION ACT OF 1992****Priority:** Other Significant**CFR Citation:** 50 CFR 15**Completed:**

Reason	Date	FR Cite
Final Action	12/02/94	59 FR 62254

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Marshall Jones  
Phone: 703 358-2093

RIN: 1018-AC51

**1728. EXPORT OF AMERICAN ALLIGATORS TAKEN IN THE 1995-97 HARVEST SEASONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 23**Completed:**

Reason	Date	FR Cite
Final Action	08/21/95	60 FR 43405

**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** Marshall Jones, Chief  
Phone: 703 358-2093

RIN: 1018-AC72

**1729. MIGRATORY BIRD HUNTING****Priority:** Economically Significant**CFR Citation:** 50 CFR 20**Completed:**

Reason	Date	FR Cite
Final Action	09/29/95	60 FR 50746

**Small Entities Affected:** Businesses**Government Levels Affected:** State**Agency Contact:** Paul R. Schmidt, Chief

Phone: 703 358-1714

RIN: 1018-AC79

**1730. NATIONAL WILDLIFE REFUGES: ADDITION OF AREAS OPEN TO HUNTING AND FISHING****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 32**Completed:**

Reason	Date	FR Cite
Withdrawn	09/14/95	

**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Robert Shallenberger  
Phone: 703 358-1744

RIN: 1018-AC81

**1731. SEASONS AND BAG LIMITS FOR SUBSISTENCE MANAGEMENT REGULATIONS****Priority:** Other Significant**CFR Citation:** 50 CFR 100**Completed:**

Reason	Date	FR Cite
Final Action	06/15/95	60 FR 31542

**Small Entities Affected:** None**Government Levels Affected:** State, Federal**Agency Contact:** Richard S. Pospahala  
Phone: 907 786-3467

RIN: 1018-AC82

**1732. CRITICAL HABITAT DESIGNATION FOR THE MEXICAN SPOTTED OWL****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	06/06/95	60 FR 29914
Final Action Effective	07/06/95	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local**Agency Contact:** E. LaVerne Smith, Chief



## DOI—FWS

## Completed Actions

Phone: 703 358-2171

RIN: 1018-AD02

**1733. ADDITION OF CAPE MAY NATIONAL WILDLIFE REFUGE TO AREAS OPEN TO HUNTING IN NEW JERSEY****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 32**Completed:**

Reason	Date	FR Cite
Final Action	10/11/95	60 FR 52866
Final Action Effective	10/11/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Robert Shallenberger  
Phone: 703 358-1744

RIN: 1018-AD03

**1734. MIGRATORY BIRD HARVEST INFORMATION PROGRAM, 1995-96 HUNTING SEASON****Priority:** Routine and Frequent**CFR Citation:** 50 CFR 20**Completed:**

Reason	Date	FR Cite
Final Action	08/18/95	60 FR 43318
Final Action Effective	09/01/95	

**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Paul Schmidt, Chief

Phone: 703 358-1714

RIN: 1018-AD08

**1735. • UPDATE OF REGIONAL OFFICE ADDRESSES****Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 5 USC 301**CFR Citation:** 50 CFR 2**Legal Deadline:** None**Abstract:** The Service will amend the Field organization regulations. The Service's regional offices in Boston, Massachusetts and Atlanta, Georgia have relocated.**Timetable:**

Action	Date	FR Cite
Final Action	08/08/95	60 FR 40301

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** James Pinkerton, Policy and Directives Staff, Department of the Interior, United States Fish and Wildlife Service, MS 224 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1943

RIN: 1018-AD40

**1736. • MIGRATORY BIRD HUNTING: DECISION ON THE CONDITIONAL APPROVAL OF BISMUTH-TIN SHOT AS NONTOXIC FOR THE 1995-1996 SEASON****Priority:** Other**Legal Authority:** 16 USC 703 to 711**CFR Citation:** 50 CFR 20**Legal Deadline:** None**Abstract:** The Service is publishing this rule to notify the public of the interim conditional approval of bismuth tin shot for the 1995-96 migratory bird hunting season. Concluded acute toxicity studies undertaken by the Bismuth Cartridge Company, and other pertinent material indicate that bismuth-tin shot is nontoxic when ingested by waterfowl.**Timetable:**

Action	Date	FR Cite
Final Action	08/18/95	60 FR 43314
Final Action Effective	09/01/95	

**Small Entities Affected:** Undetermined**Government Levels Affected:** None**Agency Contact:** Paul R. Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, MS -634 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1714

RIN: 1018-AD41

BILLING CODE 4310-55-F

## DEPARTMENT OF THE INTERIOR (DOI)

## Proposed Rule Stage

## National Park Service (NPS)

**1737. DRY TORTUGAS NATIONAL PARK: FISHING; BOUNDARY ADJUSTMENTS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a**CFR Citation:** 36 CFR 7.27**Legal Deadline:** None**Abstract:** This proposed regulation pertains to Dry Tortugas National Park

and will delete references to the taking of crayfish and conch. Information will be included to redefine the park boundary. These changes are necessary to reflect a closure of park waters to the removal of crayfish and conch and to update boundary changes mandated by congressional action in 1980 that enlarged the park area.

**Timetable:**

Action	Date	FR Cite
NPRM	08/05/86	51 FR 28110
NPRM Comment Period End	09/04/86	51 FR 28110
Second NPRM	05/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Wayne Landrum, Site Manager, Department of the Interior, National Park Service, Dry Tortugas National Park, P.O. Box 6208, Key West, FL 33041  
Phone: 813 695-3091

RIN: 1024-AA96

**1738. MINERALS MANAGEMENT—NON-FEDERAL OIL AND GAS****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

## DOI—NPS

## Proposed Rule Stage

**Legal Authority:** 16 USC 1 et seq; 16 USC 230a; 16 USC 450kk; 16 USC 459d-3; 16 USC 459h-3; 16 USC 460m; 16 USC 460cc-2(i); 16 USC 460ee; 16 USC 698c; 16 USC 698f; 16 USC 3101 et seq; 43 USC 600d; 18 USC 3571; 18 USC 3581

**CFR Citation:** 36 CFR 9

**Legal Deadline:** Final, Statutory, January 29, 1989.

Section 8 of the Big Cypress National Preserve Addition Act directs the Secretary of the Interior to promulgate regulations governing nonfederal oil and gas development by 1/29/89.

**Abstract:** Several sections of 36 CFR part 9, subpart B contain ambiguous language which has caused confusion in interpreting the existing regulations. The NPS wants to make technical revisions to clarify requirements for both applicants and the Service. Also, the existing regulations exempt two classes of operators from compliance. Because of these exemptions, the regulations apply to only 30% of the existing operations resulting in avoidable impacts to park resources and visitor values from unregulated operations. Finally, the Service intends to propose revisions to the existing regulations to incorporate congressionally mandated requirements and timetables governing nonfederal oil and gas development in the Big Cypress National Preserve Addition. Examples of such revisions include: making the regulations applicable to all oil and gas operations within all units of the National Park System; updating terms for consistency with existing policies, practices, and laws; and removing the monetary ceiling and floor on bonds and security deposits so that bonds may be calculated and posted commensurate with reclamation costs.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/96	
NPRM Comment	06/00/96	
Period End		

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Carol McCoy, Chief, Policy and Regulations Section, Department of the Interior, National Park Service, Room 221, 12795 W. Alameda Parkway, Lakewood, CA 80225

Phone: 303 969-2096

**RIN:** 1024-AB39

### 1739. NATIONAL PARK SERVICE SYMBOLS: UNITED STATES PARK POLICE INSIGNIA

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3

**CFR Citation:** 36 CFR 11

**Legal Deadline:** None

**Abstract:** The National Park Service proposed rule and request for comments relates to the United States Park Police insignia. It will recognize an official United States Park Police insignia, provide for its future protection and prevent the unauthorized use of the insignia.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett, Staff Park Ranger, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 208-4874  
Fax: 202 208-6756  
Email: Dennis.Burnett@nps.gov

**RIN:** 1024-AB94

### 1740. RIGHTS-OF-WAY

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 3; 16 USC 5; 16 USC 79

**CFR Citation:** 36 CFR 14

**Legal Deadline:** None

**Abstract:** The regulations for rights-of-way found at 36 CFR part 14, subparts A to H were promulgated as interim regulations in 1980. The regulations no longer meet the needs of the Service or of rights-of-way applicants. Final regulations need to be developed through a revision of part 14.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/96	
NPRM Comment	04/00/96	
Period End		

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dick Young, Park Ranger, Department of the Interior, National Park Service, Colonial National Park, P.O. Box 210, Yorktown, VA 23690  
Phone: 804 898-3400

**RIN:** 1024-AC01

### 1741. PENALTY PROVISIONS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 18 USC 3571

**CFR Citation:** 36 CFR 1.3

**Legal Deadline:** None

**Abstract:** Existing fine penalties at 36 CFR 1.3 were outdated by the Criminal Fine Improvement Act of 1987 (Pub. L. 100-185). These proposed regulations will establish penalty provisions in accordance with the Act.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	
NPRM Comment	02/00/96	
Period End		

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Michael Tiernan, Attorney-Advisor, Office of the Solicitor, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-7957

**RIN:** 1024-AC06

### 1742. ROCK CLIMBING

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3

**CFR Citation:** 36 CFR 2.63

**Legal Deadline:** None

**Abstract:** Rock climbing has long been an accepted recreational activity in

## DOI—NPS

## Proposed Rule Stage

many park areas. An explosive growth of rock climbing in recent years, along with increased impacts to park resources because of this activity, suggests that regulations and guidelines need to be developed to protect park resources while providing for a quality climbing experience. Information to address this issue will be sought from interested parties in an Advance Notice of Proposed Rulemaking.

**Timetable:**

Action	Date	FR Cite
ANPRM	06/11/93	58 FR 32878
ANPRM Comment Period End	09/13/93	58 FR 32878
NPRM	08/00/96	
NPRM Comment Period End	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett, Staff Park Ranger, Ranger Activities Division, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 208-4874

**RIN:** 1024-AC13

**1743. YELLOWSTONE NATIONAL PARK—SPECIAL REVISION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 3

**CFR Citation:** 36 CFR 7.13

**Legal Deadline:** None

**Abstract:** Specific regulations for Yellowstone National Park were originally promulgated in the early 1970s, with only minor changes since that time. This rulemaking will completely revise this section to bring it up to date.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/96	
NPRM Comment Period End	07/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Brian O'Dea, Criminal Investigator, Department of the Interior,

National Park Service, Yellowstone National Park, P.O. Box 168, Yellowstone NP, WY 82190  
Phone: 307 344-2121

**RIN:** 1024-AC18

**1744. GENERAL REGULATIONS FOR AREAS ADMINISTERED BY THE NATIONAL PARK SERVICE**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 20(D); 16 USC 462; 16 USC 3101

**CFR Citation:** 36 CFR 1

**Legal Deadline:** None

**Abstract:** The NPS is revising portions of 36 CFR 1.2, 1.4, and 13.2. Section 1.2 defines the primary scope and applicability of 36 CFR parts 1-5, and parts 7 and 13. Section 1.4 contains definitions for terms used in the text of the regulations. Section 13.2 modifies section 1.2 as it relates to National Park System units in Alaska. This revision clarifies the applicability of those NPS regulations that apply in all National Park System areas to navigable waters located within park boundaries.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/95	
NPRM Comment Period End	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett, Staff Park Ranger, Ranger Activities Division, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 208-4874

**RIN:** 1024-AC21

**1745. GLACIER BAY: REGULATION APPLICABILITY**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 3101 et seq

**CFR Citation:** 36 CFR 13.65

**Legal Deadline:** None

**Abstract:** This is an interim rule that will clarify the general applicability of National Park Service regulations to Glacier Bay National Park, clearing up a technical problem with general applicability rules.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/29/94	59 FR 14564
Interim Final Rule Effective	03/29/94	59 FR 14564
NPRM	01/00/96	
NPRM Comment Period End	04/00/96	
Final Action	12/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** James M. Brady, Superintendent, Department of the Interior, National Park Service, Glacier Bay National Park, P.O. Box 140, Gustavus, AK 99826-0140  
Phone: 907 697-2230

**RIN:** 1024-AC22

**1746. VOYAGEURS NATIONAL PARK: AIRCRAFT OPERATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a

**CFR Citation:** 36 CFR 7.33

**Legal Deadline:** None

**Abstract:** This proposed rulemaking amends the current special regulations for Voyageurs National Park by adding a section designating areas open to aircraft use within the Park. This addition is necessary because National Park Service general regulations require such special regulatory designations for areas in parks open to the operation or use of aircraft. The intended effects are to increase safety, protect resources, and provide appropriate enjoyment to park users.

## DOI—NPS

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/02/95	60 FR 39257
NPRM	12/00/95	
NPRM Comment Period End	02/00/96	
Final Action	06/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Bruce McKeeman, Chief Ranger, Department of the Interior, National Park Service, Voyageurs National Park, HCR 9, Box 600, International Falls, MN 56649-9701

Phone: 218 283-9821

RIN: 1024-AC23

**1747. CONVEYANCE OF FREEHOLD AND LEASEHOLD INTERESTS****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a

**CFR Citation:** 36 CFR 17**Legal Deadline:** None

**Abstract:** The National Park Service proposes to modify the regulations for sale or lease of real estate that will allow bids on sales to be accompanied by earnest money equivalent 1% of the appraised value or \$1,000, whichever is greater, with the balance of the bid due within 45 days of the award; bids on leases must be accompanied by the first year's rent.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/96	
NPRM Comment Period End	08/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** John Debo, Superintendent, Department of the Interior, National Park Service, Cuyahoga Valley National Recreation Area, 15610 Vaughn Road, Brecksville, OH 44141

Phone: 216 526-5256

RIN: 1024-AC27

**1748. BADLANDS NATIONAL PARK—COMMERCIAL VEHICLES****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 460(g); 16 USC 462(k)

**CFR Citation:** 36 CFR 7.23**Legal Deadline:** None

**Abstract:** The National Park Service proposes to establish a special regulation to permit the operation of local commercial vehicles on 5.8 miles of park roads between the Northeast and Interior entrances to Badlands National Park. The park currently allows limited local commercial use of these roads and this rulemaking would exempt this portion of park roads from the general prohibition on commercial vehicles in National Park areas. The Superintendent will be provided the discretion to require permits and fees for this use. The proposed rule will prohibit transportation of hazardous materials and overwidth/overweight vehicles except in limited circumstances.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	
NPRM Comment Period End	02/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** John Donaldson, Chief Ranger, Department of the Interior, National Park Service, Badlands National Park, P.O. Box 6, Interior, SD 57750

Phone: 605 433-5361

RIN: 1024-AC30

**1749. SHENANDOAH NATIONAL PARK: BACKCOUNTRY AND FISHING REGULATIONS****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a

**CFR Citation:** 36 CFR 7.15**Legal Deadline:** None

**Abstract:** The National Park Service is proposing to remove the majority of the backcountry and fishing regulations specific to Shenandoah National Park. This rule will retain only those regulations not covered by Parts 1 and 2 of 36 CFR and deemed necessary for the proper management of the park.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett, Staff Park Ranger, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127

Phone: 202 208-4874

RIN: 1024-AC33

**1750. GRAND TETON NATIONAL PARK AND JOHN D. ROCKEFELLER, JR. MEMORIAL PARKWAY: SNOWMOBILE AND SNOWPLANE ROUTES AND REGULATIONS****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a

**CFR Citation:** 36 CFR 7.22**Legal Deadline:** None

**Abstract:** The National Park Service proposes to change the special regulations relating to the use of and designated routes for snowmobiles and snowplanes within Grand Teton National Park and John D. Rockefeller, Jr. Memorial Parkway. The proposed rule will define more clearly the use of snowmobiles, snowplanes, and designated routes. This rule can eliminate the use of snowmobiles in the Potholes-Baseline Flats area at the discretion of the Superintendent and establish special regulations allowing snowmobile use on the Continental Divide Snowmobile Trail. The proposed rule will also establish a requirement for operators of

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## Proposed Rule Stage

snowmobiles within Grand Teton National Park to have a valid driver's license or learner's permit.

**Timetable:**

Action	Date	FR Cite
NPRM	10/25/95	60 FR 54633
NPRM Comment Period End	12/26/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett, Staff Park Ranger, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 208-4874

**RIN:** 1024-AC34

#### 1751. • APPLICABILITY AND RESOURCE PROTECTION REVISIONS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 462

**CFR Citation:** 36 CFR 2

**Legal Deadline:** None

**Abstract:** A major revision of 36 CFR Part 2 was completed in 1983. This current review is to address clarification of the applicability of these regulations in National Park Service areas, and to update existing resource protection and visitor use regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett, Staff Park Ranger, Department of the Interior, National Park Service, Room 3315, MS 650, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 208-4874  
Fax: 202 208-6756

**RIN:** 1024-AC38

#### 1752. • MOUNTAIN CLIMBING; 60-DAY PREREGISTRATION REQUIREMENT

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 3101 et seq

**CFR Citation:** 36 CFR 13.63

**Legal Deadline:** None

**Abstract:** The National Park Service is promulgating a regulation to require mountain climbers to register a minimum of 60 days before any climb on Mount McKinley or Mount Foraker in Denali National Park. Mountaineering in the park has increased dramatically over the past 10 years, and climbing-related injuries and deaths have correspondingly increased. By requiring advance registration, the Denali Park staff will be able to provide safety and other related climbing information to prospective mountaineers in advance of their climb. When this rule becomes final, it will replace an interim rule that became effective March 31, 1995 (60 FR 16579).

**Timetable:**

Action	Date	FR Cite
NPRM	09/13/95	60 FR 47513
NPRM Comment Period End	11/13/95	
Final Action	02/00/96	
Final Action Effective	03/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** J.D. Swed, Supervisory Park Ranger, Department of the Interior, National Park Service, Denali National Park and Preserve, P.O. Box 9, Denali National Park, AK 99755  
Phone: 907 683-2294

**RIN:** 1024-AC39

#### 1753. • APPALACHIAN NATIONAL SCENIC TRAIL: POWERLESS FLIGHT

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 460(q); 16 USC 462(k)

**CFR Citation:** 36 CFR 7.100

**Legal Deadline:** None

**Abstract:** The National Park Service is proposing a rule to allow hang gliding within the park. Special regulations are required for this recreational activity to take place in park areas. An interim rule was published in the Federal Register on July 14, 1995 (60 FR 36224). When this rule becomes final, it will replace the interim rule.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/14/95	60 FR 36224
NPRM	11/00/95	
NPRM Comment Period End	01/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett, Staff Park Ranger, Ranger Activities Division, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 208-4874  
Fax: 202 208-6756

**RIN:** 1024-AC42

#### 1754. • PROCEDURES FOR STATE, TRIBAL, AND LOCAL GOVERNMENT HISTORIC PRESERVATION PROGRAMS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 470 et seq

**CFR Citation:** 36 CFR 61

**Legal Deadline:** None

**Abstract:** The National Park Service proposes to revise the requirements for State and local historic preservation programs as well as the way the NPS administers these programs. The proposed changes are intended to provide more flexibility in (1) State historic preservation office staffing; (2) State Historic Preservation Review Board membership and operations; and (3) carrying out State Historic Preservation Officer responsibilities. The revision streamlines the process for certification of local governments to participate officially in the national historic preservation program. This proposed revision also officially recognizes the growing role of tribal historic preservation programs. Some of

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## Proposed Rule Stage

the changes are necessary because of the 1992 amendments to the National Historic Preservation Act.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/96	
NPRM Comment Period End	03/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John W. Renaud, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 343-1059  
Fax: 202 343-1836

**RIN:** 1024-AC44

## DEPARTMENT OF THE INTERIOR (DOI)

## Final Rule Stage

## National Park Service (NPS)

**1755. NATIONAL NATURAL LANDMARKS PROGRAM**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 461 et seq

**CFR Citation:** 36 CFR 62

**Legal Deadline:** None

**Abstract:** This proposed rulemaking will amend the current regulations for the National Natural Landmarks Program. Proposed changes include strengthening and clarifying provisions for landowner notification, adding requirements for voluntary landowner consent for natural landmark designation, and providing for review of natural landmark nominations by the National Park System Advisory Board.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/29/90	55 FR 43384
NPRM	11/21/91	56 FR 58790
NPRM Comment Period End	02/19/92	56 FR 58790
Final Action	05/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Gary Johnston, Chief, Wildlife and Vegetation Division, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 343-8115

**RIN:** 1024-AB96

**1756. GLACIER BAY NATIONAL PARK, ALASKA FISHING REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 3101 et seq

**CFR Citation:** 36 CFR 13.65

**Legal Deadline:** None

**Abstract:** The proposed regulations will allow commercial fishing in Glacier Bay National Park as an exemption from currently existing servicewide regulations until December 31, 1997. Non-commercial consumptive fishing methods are designated, and subsistence uses are prohibited pursuant to statutory requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	08/05/91	56 FR 37262
NPRM Comment Period End	11/03/91	56 FR 46589
Final Action	10/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** James M. Brady, Superintendent, Department of the Interior, National Park Service, Glacier Bay National Park, P.O. Box 140, Gustavus, AK 99826-0140  
Phone: 907 697-2230

**RIN:** 1024-AB99

**1757. GLACIER BAY: VESSEL MANAGEMENT PLAN/REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 3; 16 USC 3101; 16 USC 1361; 16 USC 1531

**CFR Citation:** 36 CFR 13.65

**Legal Deadline:** None

**Abstract:** Glacier Bay National Park is initiating a vessel management plan that will, during its formulation, review the existing vessel regulations for revisions.

**Timetable:**

Action	Date	FR Cite
NPRM	06/05/95	60 FR 29523
NPRM Comment Period End	08/25/95	60 FR 40798
Final Action	02/00/96	
Final Action Effective	03/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** James M. Brady, Superintendent, Department of the Interior, National Park Service, Glacier Bay National Park, Gustavus, AK 99826  
Phone: 907 697-2230

**RIN:** 1024-AC05

**1758. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT IMPLEMENTATION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 3001 to 3013

**CFR Citation:** 43 CFR 10

**Legal Deadline:** None

**Abstract:** Regulations will provide Federal agencies, museums that receive Federal funds, and Indian tribes and Native Hawaiian organizations with directions on procedures and actions needed to comply with the Native American Graves Protection and Repatriation Act.

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## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	05/28/93	58 FR 31122
NPRM Comment Period End	07/27/93	58 FR 31122
Final Action	11/00/95	
Final Action Effective	12/00/95	

**Small Entities Affected:** None**Government Levels Affected:** State, Tribal, Federal

**Agency Contact:** Francis P. McManamon, Departmental Consulting Archeologist, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 343-4101

**RIN:** 1024-AC07**1759. VISITOR SERVICES UNDER SECTION 1307 OF ANILCA****Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 3197**CFR Citation:** 36 CFR 13**Legal Deadline:** None

**Abstract:** This proposed rule establishes procedures for granting rights and preferences in the award and renewal of competitive visitor service authorizations for visitor service providers to conduct business on certain National Park Service lands in Alaska. This rule implements section 1307 of the Alaska Lands Act (ANILCA), which protects certain visitor service providers in operation prior to January 1, 1979, and which directs that a right of preference for any future new visitor service be given to local residents and Native corporations.

**Timetable:**

Action	Date	FR Cite
NPRM	04/25/95	60 FR 20374
NPRM Comment Period End	09/11/95	60 FR 36082
Final Action	02/00/96	
Final Action Effective	03/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Jeff Cobb, Chief, Division of Concessions, Department of the Interior, National Park Service, Alaska Regional Office, 2525 Gambell Street, Anchorage, AK 90225  
Phone: 907 257-2594

**RIN:** 1024-AC19**1760. OREGON CAVES NATIONAL MONUMENT: SPECIAL REGULATIONS****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 460(q); 16 USC 462(k)**CFR Citation:** 36 CFR 7.49**Legal Deadline:** None

**Abstract:** The National Park Service proposes to modify restrictions on admission to Oregon Caves in Oregon Caves National Monument. This proposed regulation would allow children over a specified height and with a measurable physical ability to enter the caves, regardless of age. The present restriction states that children under the age of six are not permitted to enter the caves. A search of historical records has failed to find any extensive discussion of or justification for this particular age limit. There also appears to be little justification for using six years of age in determining who enters the caves. A child's size and endurance determine his or her cave traveling abilities more than age.

**Timetable:**

Action	Date	FR Cite
NPRM	03/14/95	60 FR 13662
NPRM Comment Period End	05/15/95	60 FR 13662
Final Action	12/00/95	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Craig W. Ackerman, Park Manager, Department of the

Interior, National Park Service, Oregon Caves National Monument, 19000 Caves Highway, Cave Junction, OR 97523

Phone: 503 592-2100

**RIN:** 1024-AC26**1761. CAPE LOOKOUT NATIONAL SEASHORE: SPECIAL REGULATIONS****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 460(g); 16 USC 462(k)**CFR Citation:** 36 CFR 7.98**Legal Deadline:** None

**Abstract:** The National Park Service proposes to close Portsmouth Village Airstrip to the operation of aircraft. The action is necessary to prevent aircraft accidents and eliminate a use that is incompatible with preserving the historic scene in Portsmouth Village, a historic district on the National Register of Historic Places. The primary intent of this proposed rule is to protect the flying public by closing an airstrip that does not comply with Federal Aviation Administration and North Carolina Department of Transportation safety standards.

**Timetable:**

Action	Date	FR Cite
NPRM	07/12/95	60 FR 35887
NPRM Comment Period End	09/11/95	60 FR 35887
Final Action	12/00/95	
Final Action Effective	01/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Chuck Harris, Chief Ranger, Department of the Interior, National Park Service, Cape Lookout National Seashore, 131 Charles Street, Harkers Island, NC 28531  
Phone: 919 728-2250

**RIN:** 1024-AC29

## DEPARTMENT OF THE INTERIOR (DOI)

## Completed Actions

## National Park Service (NPS)

## DOI—NPS

## Completed Actions

**1762. GLACIER NATIONAL PARK REVISION****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 7.3**Completed:**

Reason	Date	FR Cite
Final Action	07/12/95	60 FR 35839
Final Action Effective	08/11/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Dennis Burnett  
Phone: 202 208-4874**RIN:** 1024-AC15**1763. THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 36 CFR 68**Completed:**

Reason	Date	FR Cite
Final Action	07/12/95	60 FR 35842
Final Action Effective	08/14/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Kay Weeks  
Phone: 202 343-9593**RIN:** 1024-AC24**1764. ALASKA; HUNTING AND TRAPPING REGULATIONS****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

**CFR Citation:** 36 CFR 13**Completed:**

Reason	Date	FR Cite
Final Action	04/11/95	60 FR 18532
Final Action Effective	05/11/95	

**Small Entities Affected:** None**Government Levels Affected:** State**Agency Contact:** Paul Hunter  
Phone: 907 257-2646**RIN:** 1024-AC25**1765. PICTURED ROCKS NATIONAL LAKESHORE; SPECIAL REGULATIONS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 36 CFR 7.32**Completed:**

Reason	Date	FR Cite
Final Action	09/14/95	60 FR 47701
Final Action Effective	10/16/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Larry Hach  
Phone: 906 387-2607**RIN:** 1024-AC28**1766. GETTYSBURG NATIONAL MILITARY PARK: ONE-WAYING OF PARK ROADS****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 7.44**Completed:**

Reason	Date	FR Cite
Withdrawn No further action to be taken at this time.	10/01/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Dennis Burnett  
Phone: 202 208-4874**RIN:** 1024-AC35**1767. • GENERAL PROVISIONS, DEFINITIONS; CHANGE IN ORGANIZATIONAL TITLES****Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 4601-6a(e); 16 USC 462(k)**CFR Citation:** 36 CFR 1.4**Legal Deadline:** None**Abstract:** The National Park Service is amending and revising the General Provisions definition of Regional Director to reflect a new organizational structure. The term "Regional Director" will be deleted from the definition section and a new definition, "Field Director," will be added in alphabetical order.**Timetable:**

Action	Date	FR Cite
Final Action	11/03/95	60 FR 55789
Final Action Effective	11/03/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Dennis Burnett, Staff Park Ranger, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 208-4874  
Fax: 202 208-6756**RIN:** 1024-AC43

BILLING CODE 4310-70-F

## DEPARTMENT OF THE INTERIOR (DOI)

## Proposed Rule Stage

## Bureau of Indian Affairs (BIA)

**1768. ADMINISTRATION OF THE HIGHER EDUCATION PROGRAM****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 13; PL 67-85**CFR Citation:** 25 CFR 40**Legal Deadline:** None**Abstract:** This rule will revise established policies and provide uniform procedures to govern the



## DOI—BIA

## Proposed Rule Stage

higher education program administered under the authority of 25 USC 13. This rule applies only to educational grants; Bureau educational loans are governed by 25 CFR part 91. This part has been redesignated from 25 CFR part 32.

**Timetable:**

Action	Date	FR Cite
Public Consultation	01/23/91	
NPRM	04/00/96	
NPRM Comment Period End	07/00/96	
Final Action	01/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal, Federal

**Additional Information:** This rule is being repropounded due to a court decision on the definition of "Indian."

**Agency Contact:** Terry Portra, Education Specialist, Department of the Interior, Bureau of Indian Affairs, MS-3530 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4871

**RIN:** 1076-AA10

**1769. LEASING AND PERMITTING**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 395; 25 USC 402; 25 USC 403; 25 USC 466

**CFR Citation:** 25 CFR 162

**Legal Deadline:** None

**Abstract:** This rule will reorganize the existing leasing and permitting rule into subparts and incorporate the provisions on range permits and leasing required by Public Law 103-177.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/96	
NPRM Comment Period End	05/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Mark Bradford, Chief, Branch of Agriculture and Range, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-3598

**RIN:** 1076-AA29

**1770. INDIVIDUAL INDIAN MONIES**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301; 25 USC 29; 43 USC 1457

**CFR Citation:** 25 CFR 115

**Legal Deadline:** None

**Abstract:** This regulation will modify existing regulations governing the Individual Indian Monies Trust (IIM) Funds and establish guidelines on accepting new IIM accounts. The Federal Government has sole responsibility for the protection of Indian trust funds which have been either collected from receipts from Indian trust land or through judgment awards to tribes and/or individuals.

The Bureau of Indian Affairs has established the Office of Trust Funds Management to oversee Indian Trust Funds operations. The modified and new regulations will result in the added protection, and more efficient handling of the Indian trust funds.

**Timetable:**

Action	Date	FR Cite
Initial proposed rule published	08/15/94	59 FR 41948
NPRM	08/00/96	
NPRM Comment Period End	11/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Pat Gerard, Program Analyst, Office of Trust Funds Management, Department of the Interior, Bureau of Indian Affairs, 505 Marquette NW., Suite 700, Albuquerque, NM 87102  
Phone: 505 766-3223

**RIN:** 1076-AC65

**1771. NAVAJO PARTITIONED LANDS GRAZING REGULATIONS**

**Priority:** Other Significant

**Legal Authority:** 25 USC 640(d)

**CFR Citation:** 25 CFR 161

**Legal Deadline:** None

**Abstract:** These regulations are necessary for implementation of the livestock and grazing control provisions of 25 USC 640(d). In 1982 the Federal District Court for Arizona abolished 25 CFR 153, Grazing Regulation for the Joint Use Administrative Area and ordered the Secretary to promulgate new regulations for the control of grazing and livestock for the former Joint Use Administrative Area. Due to a lack of tribal concurrence, regulations were not promulgated for lands partitioned to the Navajo Tribe. Navajo tribal concurrence has been recently obtained; therefore, the BIA needs to move forward with publication of these regulations. Any cost associated with the implementation of these regulations will be assumed within the BIA annual budget. Cost associated with compliance of the provisions of these regulations will be borne by the Navajo Tribe or its members. There is no associated cost to the general public.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Mark Bradford, Chief, Branch of Agriculture and Range, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3598

**RIN:** 1076-AC81

**1772. FAMILY AND CHILD EDUCATION PROGRAM (FACE)**

**Priority:** Other Significant

**Legal Authority:** 25 USC 2; 25 USC 2003; 25 USC 2002; 25 USC 13

**CFR Citation:** 25 CFR 35

**Legal Deadline:** None

**Abstract:** This rule will establish new standards and procedures for applications and approval of applications under family and child education programs. The proposed standards are intended to enhance and ensure fairness in the award of funds for these programs.

## DOI—BIA

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	08/16/96	
NPRM Comment	12/16/96	
Period End		

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Patsy Jones, Education Specialist, Office of Indian Education Programs, Department of the Interior, Bureau of Indian Affairs, Room 3530 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 219-1127

**RIN:** 1076-AC92**1773. INDIAN CHILD PROTECTION AND FAMILY VIOLENCE PREVENTION PROGRAMS****Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 13; 25 USC 200; 25 USC 3201 et seq

**CFR Citation:** 25 CFR 63**Legal Deadline:** None

**Abstract:** The Bureau of Indian Affairs is proposing to establish regulations as mandated by the Indian Child Protection and Family Violence Prevention Act that prescribe minimum standards of character and suitability of employment for individuals whose duties and responsibilities allow them regular contact with or control over Indian children and establish the method for distribution of funds appropriated for Indian child protection and family violence prevention programs.

**Timetable:**

Action	Date	FR Cite
Tribal Consultation	08/31/94	
NPRM	09/01/95	60 FR 45982
NPRM Comment	11/01/95	
Period End		
Final Action	05/00/96	
Final Action Effective	06/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Betti A. Delrow, Child Protection Coordinator, Office of

Tribal Services, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., MS 4603-MIB, Washington, DC 20240  
Phone: 202 208-3463

**RIN:** 1076-AC97**1774. RANGE REGULATIONS****Priority:** Other Significant**Legal Authority:** PL 103-177**CFR Citation:** 25 CFR 162; 25 CFR 166

**Legal Deadline:** Final, Statutory, December 3, 1995.

**Abstract:** This rule implements the Education Trespass and Land Management portion of Public Law 103-177.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/96	
NPRM Comment	05/00/96	
Period End		

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Mark Bradford, Chief, Branch of Agriculture and Range, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Room 4559, Washington, DC 20240  
Phone: 202 208-3598

**RIN:** 1076-AD04**1775. INDIAN SCHOOL EQUALIZATION PROGRAM****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 13; 25 USC 2008

**CFR Citation:** 25 CFR 39**Legal Deadline:** None

**Abstract:** This rule will change the definitions of some disabling conditions so that they are consistent with Department of Education definitions of some disabling conditions and adjust the way schools are reimbursed for student transportation services.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	
NPRM Comment	03/00/96	
Period End		

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Joy Martin, Chief, Branch of Administrative Services, Department of the Interior, Bureau of Indian Affairs, Room 3515 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 219-4555

**RIN:** 1076-AD09**1776. LAND ACQUISITIONS FOR TRIBES AND INDIVIDUAL INDIANS****Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 409a; 25 USC 465; 25 USC 501; 25 USC 574; 25 USC 576; 25 USC 608; 25 USC 467; 25 USC 450h; 25 USC 463e; 25 USC 451; 25 USC 464; 25 USC 487 to 489; 25 USC 573; 25 USC 610

**CFR Citation:** 25 CFR 151**Legal Deadline:** None

**Abstract:** This rule will revise the regulations to comply with current statutes and Departmental policy. It will add provisions or clarify procedures for land acquisitions under Part 151 and will provide stronger and more consistent guidelines for reviewing trust applications than the current case-by-case review, which uses general criteria. The streamlined regulations will benefit tribes and individual Indians who request real property acquisition for trust status. No additional costs will be incurred by applicants or the Bureau.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	
NPRM Comment	05/00/96	
Period End		

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Alice Harwood, Realty Specialist, Department of the Interior, Bureau of Indian Affairs,

## DOI—BIA

## Proposed Rule Stage

Division of Real Estate Services, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3604

RIN: 1076-AD11

**1777. INDIAN TRIBAL JUSTICE ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 103-176

**CFR Citation:** 25 CFR 92

**Legal Deadline:** None

**Abstract:** This rule will establish the formula used to determine the funding to be given under the Indian Tribal Justice Act. The formula, standards, and criteria are required by Section 103

of the Act. This rule will affect tribal governance and individual welfare.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	
NPRM Comment Period End	05/00/96	

**Small Entities Affected:** Organizations

**Government Levels Affected:** Tribal

**Agency Contact:** Carey Vicenti, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Room 2611 MIB, Washington, DC 20240

Phone: 202 208-4400

RIN: 1076-AD15

**1778. TRIBAL SELF-GOVERNANCE**

**Regulatory Plan:** This entry is Seq. No. 60 in Part II of this issue of the Federal Register.

RIN: 1076-AD20

**1779. INDIAN SELF-DETERMINATION ACT AMENDMENTS OF 1994**

**Regulatory Plan:** This entry is Seq. No. 61 in Part II of this issue of the Federal Register.

RIN: 1076-AD21

## DEPARTMENT OF THE INTERIOR (DOI)

## Final Rule Stage

## Bureau of Indian Affairs (BIA)

**1780. ADMINISTRATION OF THE INDIAN ADULT EDUCATION PROGRAMS**

**Priority:** Other Significant

**Legal Authority:** 25 USC 13

**CFR Citation:** 25 CFR 46

**Legal Deadline:** None

**Abstract:** These proposed regulations are designed to provide standardized administrative procedures for administering and operating Indian adult education programs.

**Timetable:**

Action	Date	FR Cite
NPRM	12/30/87	12 FR 49172
NPRM Comment Period End	02/29/88	52 FR 49172
Public consultation	01/23/91	
NPRM	08/25/94	59 FR 44016
NPRM Comment Period End	01/31/95	
Final Action	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Terry Portra, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4871

RIN: 1076-AA15

**1781. OIL, GAS, SOLID MINERAL, AND GEOTHERMAL MINERAL AGREEMENTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 2101 to 2108

**CFR Citation:** 25 CFR 211; 25 CFR 212

**Legal Deadline:** None

**Abstract:** The purpose of these revisions is to reflect the enactment of legislation, court decisions, changes, and reorganization with the Federal government and the evolution of usual and common business practices. The existing rule does not adequately reflect the provisions of the Federal Oil and Gas Royalty Management Act or the Surface Mining Control and Reclamation Act.

**Timetable:**

Action	Date	FR Cite
NPRM	10/21/87	52 FR 39332
NPRM Comment Period End	12/21/87	52 FR 39332
NPRM	11/18/91	56 FR 58734
Reproposal	11/21/91	56 FR 58734
NPRM Comment Period End	01/19/92	
Final Action	03/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Additional Information:** This regulation was formerly combined with material that will now be published separately under RIN 1076-AC98.

**Agency Contact:** Kim Snyder, Division of Energy and Mineral Resources, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3607

RIN: 1076-AA82

**1782. ROADS OF THE BUREAU OF INDIAN AFFAIRS**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 47; 25 USC 318a; 23 USC 202; 23 USC 204

**CFR Citation:** 25 CFR 170

**Legal Deadline:** None

**Abstract:** The Bureau of Indian Affairs is proposing to revise 25 CFR part 170 to reflect the current Bureau of Indian Affairs and Federal Highway Administration policies for road systems on Indian reservations. This change is proposed to assure that funds are apportioned from the Highway Trust Fund for construction projects on Indian reservations roads in accordance with the relative needs of the

## DOI—BIA

## Final Rule Stage

reservation, and to encourage tribal self-determination.

**Timetable:**

Action	Date	FR Cite
NPRM	03/24/94	59 FR 14030
NPRM Comment Period End	05/23/94	59 FR 14030
Final Action	01/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Paul Sunwoo, Acting Chief, Division of Transportation, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Room 4050, MIB, Washington, DC 20240

Phone: 202 208-4359

**RIN:** 1076-AB05

**1783. FINANCIAL ASSISTANCE AND SOCIAL SERVICES PROGRAM**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 13

**CFR Citation:** 25 CFR 20

**Legal Deadline:** None

**Abstract:** The Bureau is amending existing Financial Assistance and Social Services program regulations. The proposed regulations define the extent of the programs, establish eligibility requirements and set the parameters for assistance payments. General Assistance, Child Welfare Assistance and Services to Families and Communities will be revised. Adult Care Services, Tribal Work Experience Program and Miscellaneous Assistance Programs will be added to the regulations in more detail.

**Timetable:**

Action	Date	FR Cite
NPRM	04/07/94	59 FR 16720
NPRM Comment Period End	06/06/94	
Final Action	03/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Betty Tippeconnic, Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-2721

**RIN:** 1076-AC13

**1784. PREFERENCE IN EMPLOYMENT**

**Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 479

**CFR Citation:** 25 CFR 5

**Legal Deadline:** None

**Abstract:** The Bureau is proposing to eliminate provisions relating to preference in employment because they expired on January 5, 1990.

**Timetable:**

Action	Date	FR Cite
NPRM	09/06/94	59 FR 47046
NPRM Comment Period End	12/06/94	
Final Action	03/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Patrick Hamilton, Director of Personnel, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue NW., Room 320-SIB, Washington, DC 20245  
Phone: 202 208-2506

**RIN:** 1076-AD05

## DEPARTMENT OF THE INTERIOR (DOI)

## Long-Term Actions

## Bureau of Indian Affairs (BIA)

**1785. GRANTS TO TRIBALLY CONTROLLED COMMUNITY COLLEGES AND NAVAJO COMMUNITY COLLEGE**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 1801 to 1852; 25 USC 640; 25 USC 1831

**CFR Citation:** 25 CFR 41

**Legal Deadline:** None

**Abstract:** This rule applies to the provision of financial assistance, technical assistance, and endowments to tribal colleges and Navajo Community College and will strengthen requirements relating to: (1) Criteria for satisfactory programs; (2) counting Indian students; (3) developing planning grants; (5) forward funding; (6) renovation and construction of facilities; and (7) preparing construction feasibility reports.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Agency Contact:** Terry Portra, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Room 3512, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4871

**RIN:** 1076-AD08

**DEPARTMENT OF THE INTERIOR (DOI)**  
**Bureau of Indian Affairs (BIA)**
**Completed Actions****1786. GENERAL FOREST REGULATIONS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 25 CFR 163**Completed:**

Reason	Date	FR Cite
Final Action	10/05/95	60 FR 52250

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Tribal, Federal**Agency Contact:** Jim Stires  
Phone: 406 657-6358**RIN:** 1076-AC44**1787. OFF RESERVATION LAND ACQUISITIONS FOR INDIAN TRIBES****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**CFR Citation:** 25 CFR 151**Completed:**

Reason	Date	FR Cite
Final Action	06/23/95	60 FR 32874
Final Action Effective	05/15/95	

**Small Entities Affected:** None**Government Levels Affected:** Tribal**Agency Contact:** Alice Harwood  
Phone: 202 208-3604**RIN:** 1076-AC51**1788. OPERATION AND MAINTENANCE OF IRRIGATION PROJECTS****Priority:** Other Significant**CFR Citation:** 25 CFR 171**Completed:**

Reason	Date	FR Cite
Withdrawn no further action will be taken at this time.	08/09/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Ross Mooney

Phone: 202 208-5480

**RIN:** 1076-AC53**1789. SALE OF FOREST PRODUCTS, RED LAKE INDIAN RESERVATION, MINNESOTA****Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**CFR Citation:** 25 CFR 165**Completed:**

Reason	Date	FR Cite
Final Action	10/03/95	60 FR 51723

**Small Entities Affected:** None**Government Levels Affected:** Tribal**Agency Contact:** Jim Stires  
Phone: 406 657-6358**RIN:** 1076-AC75**1790. SALE OF LUMBER AND OTHER FOREST PRODUCTS PRODUCED BY INDIAN ENTERPRISES FROM THE FORESTS ON INDIAN RESERVATIONS****Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**CFR Citation:** 25 CFR 164**Completed:**

Reason	Date	FR Cite
Final Action	10/03/95	60 FR 51723

**Small Entities Affected:** None**Government Levels Affected:** Tribal**Agency Contact:** Jim Stires  
Phone: 406 657-6358**RIN:** 1076-AC77**1791. INDIAN ELECTRIC POWER UTILITIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 175**Completed:**

Reason	Date	FR Cite
Withdrawn no further action will be taken at this time.	08/09/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Ross Mooney

Phone: 202 208-5480

**RIN:** 1076-AD03**1792. PRESERVATION OF ANTIQUITIES****Priority:** Other**CFR Citation:** 25 CFR 261**Completed:**

Reason	Date	FR Cite
Final Action	06/23/95	60 FR 32896

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Donald Sutherland  
Phone: 202 208-4791**RIN:** 1076-AD10**1793. LEASING OF OSAGE RESERVATION LANDS IN OKLAHOMA FOR MINING EXCEPT OIL AND GAS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 25 CFR 214**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action will be taken at this time.	08/09/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Kim Snyder  
Phone: 202 208-3607**RIN:** 1076-AD12**1794. SPECIAL EDUCATION****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 25 CFR 45**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action will be taken at this time.	08/09/95	

## DOI—BIA

## Completed Actions

Small Entities Affected: None

Agency Contact: Lena Mills

Phone: 202 208-6675

Government Levels Affected: Tribal

RIN: 1076-AD16

BILLING CODE 4310-02-F

## DEPARTMENT OF THE INTERIOR (DOI)

## Prerule Stage

## Minerals Management Service (MMS)

**1795. TRAINING OF LESSEE AND CONTRACTOR EMPLOYEES ENGAGED IN OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF**

Priority: Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1332

**CFR Citation:** 30 CFR 250.210; 30 CFR 250.211; 30 CFR 250.212; 30 CFR 250.213; 30 CFR 250.214; 30 CFR 250.215

Legal Deadline: None

**Abstract:** MMS feels that the current regulations in 30 CFR 250 need to be updated to provide the flexibility to use new technology and innovative programs.

**Timetable:**

Action	Date	FR Cite
NPRM	08/05/94	59 FR 39991

Action	Date	FR Cite
ANPRM Comment Period End	01/00/96	
ANPRM	10/00/96	

Small Entities Affected: None

Government Levels Affected: None

**Agency Contact:** Sharon Buffington, Petroleum Engineer, Department of the Interior, Minerals Management Service, Room 4800, 381 Elden Street, Herndon, VA 22070-4817  
Phone: 703 787-1147

RIN: 1010-AB99

## DEPARTMENT OF THE INTERIOR (DOI)

## Proposed Rule Stage

## Minerals Management Service (MMS)

**1796. REVISION OF REQUIREMENTS GOVERNING CORPORATE SURETY BONDS FOR OUTER CONTINENTAL SHELF LEASES**

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250; 30 CFR 251; 30 CFR 256

Legal Deadline: None

**Abstract:** This rule will amend current regulations requiring lessee surety bonds. The value of surety bonds required by current regulations for leases approved before November 27, 1993, is not adequate to protect the government from loss due to lessees' failure to comply with the terms of OCS leases. This rule embodies a comprehensive approach to the complex problems associated with the movement of smaller operators into the OCS. The potential costs are the increase in cost to obtain a higher level of bond coverage. Benefits would be the enhancement of smaller operators' ability to provide necessary surety, and to provide greater protection of the public interest by reducing the potential for losses to the government.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/95	
NPRM Comment Period End	01/00/96	

Small Entities Affected: None

Government Levels Affected: None

**Agency Contact:** John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, Room 4700, 381 Elden Street, Herndon, VA 22070  
Phone: 703 787-1607

RIN: 1010-AB92

**1797. REVISION OF AUTHORIZED BIDDING SYSTEMS FOR LEASES IN THE OUTER CONTINENTAL SHELF**

Priority: Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1334(a)

CFR Citation: 30 CFR 256

Legal Deadline: None

**Abstract:** This action will better enable MMS to set lease terms in reaction to

changing oil and gas market conditions by offering leases at royalty rates that reflect lower market prices. This rule will allow modification of the minimum royalty from 12-1/2 percent of the production amount or value to an effectively lower rate that would be described in the lease terms portion of a sale's final notice. This lower rate could be designated over the life of the lease as a constant or sliding scale measure, or it could emerge as a result of the lessee's fulfillment of specified conditions (e.g., no royalties would be due until production reaches a designated level or a predetermined capital cost allowance is recovered). MMS expects to better respond to changing market conditions because of this modification and believes that this action will cause increased bidding competition for new leases. For those selected tracts offered under a reduced royalty bidding system, the proposed rule is expected to bolster domestic production and maintain or increase employment in the oil and gas sector.

**Timetable:**

Action	Date	FR Cite
NPRM	08/23/95	60 FR 43735
NPRM Comment Period End	10/23/95	60 FR 43795
Final Action	07/00/96	

## DOI—MMS

## Proposed Rule Stage

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, Room 4700, 381 Elden Street, Herndon, VA 22070  
Phone: 703 787-1607

**RIN:** 1010-AB93

### 1798. TRANSPORTATION AND PROCESSING ALLOWANCES FOR OIL AND GAS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 396; 25 USC 2102; 30 USC 181; 30 USC 351; 30 USC 1001; 30 USC 1701; 30 USC 1301; 30 USC 1331; 30 USC 1801

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** A study group was formed to review regulatory requirements that became effective on March 1, 1988. This group proposed changes to the forms and submission requirements and the method for calculating assessments. The minerals industry and the general public will be requested to comment on the proposed changes to the rules on transportation and processing allowances.

**Timetable:**

Action	Date	FR Cite
NPRM	08/07/95	60 FR 40127
NPRM Comment Period End	10/06/95	60 FR 40127

**Small Entities Affected:** None

**Government Levels Affected:** State, Tribal

**Agency Contact:** James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, P.O. Box 25165, Room 3000, Denver, CO 80225-0165  
Phone: 303 231-3058

**RIN:** 1010-AB94

### 1799. TRANSPORTATION AND WASHING ALLOWANCES FOR COAL

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 396; 25 USC 2101; 30 USC 181; 30 USC 351; 30 USC 1001; 30 USC 1701; 31 USC 9701; 43 USC 1301; 43 USC 1331; 43 USC 1801

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** This rule is designed to improve MMS's administration of allowances and to provide incentives for payors to comply with the reporting requirements of the regulations. It will amend the current regulatory requirements for allowance forms submission, amend the allowance payback and late payment charges for forms that are not filed on time, retain the need for regulatory approval thresholds, and propose alternative approaches to administering allowances.

**Timetable:**

Action	Date	FR Cite
NPRM	08/07/95	60 FR 40120
NPRM Comment Period End	10/06/95	60 FR 40120
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State, Tribal

**Agency Contact:** James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, P.O. Box 25165, MS 3000, Denver, CO 80225-0165  
Phone: 303 231-3058

**RIN:** 1010-AC00

### 1800. VALUATION OF GAS PRODUCTION—FEDERAL LEASES

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301; 25 USC 396; 25 USC 2101; 30 USC 181; 30 USC

351; 30 USC 1001; 30 USC 1701; 31 USC 9701; 43 USC 1301; 43 USC 1331; 43 USC 1801

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** This rule amends regulations regarding the valuation of gas produced from Federal leases and agreements for arms-length and non arms-length contracts. Due to the variety of situations in producing and marketing gas products, MMS's purpose is to provide a valuation procedure that closely reflects market conditions and allows royalty to be based upon information readily available to the lessee. The procedure will minimize the administrative burden on industry and MMS.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/96	
NPRM Comment Period End	03/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Additional Information:** This rule was developed using the negotiated rulemaking process which included representatives of MMS, States, industry, and other interested parties. Public meetings were held in accordance with notices published in the Federal Register.

**Agency Contact:** James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, P.O. Box 25165, MS 3000, Denver, CO 80225-0165  
Phone: 303 231-3058

**RIN:** 1010-AC02

### 1801. UPDATING DOCUMENTS INCORPORATED BY REFERENCE

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1334

**CFR Citation:** 30 CFR 250.1

**Legal Deadline:** None

**Abstract:** This rule amends the Minerals Management Service

## DOI—MMS

## Proposed Rule Stage

regulations by incorporating new editions of documents that have already been incorporated into the regulations by reference. The new editions will continue to ensure that lessees use the best available and safest technologies while operating on the Outer Continental Shelf.

**Timetable:**

Action	Date	FR Cite
NPRM	08/17/95	60 FR 42819
NPRM Comment Period End	10/16/95	60 FR 42819
Final Action	06/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, 381 Elden Street, Room 4700, Herndon, VA 22070  
Phone: 703 787-1600

**RIN:** 1010-AC03

#### 1802. FEES FOR LEASE ASSIGNMENTS AND PIPELINE RIGHTS OF WAY

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1334; 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250.160; 30 CFR 250.163; 30 CFR 256.64

**Legal Deadline:** None

**Abstract:** This rule amends the requirements governing filing fees for pipeline right of way applications and assignments and lease transfers. By increasing the filing fees, MMS will recover the costs of processing these documents. The amendment also establishes that future changes in these filing fees will be indexed to the Consumer Price Index "U."

**Timetable:**

Action	Date	FR Cite
NPRM	08/11/95	60 FR 41034
NPRM Comment Period End	10/10/95	60 FR 41034
Final Action	06/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John Mirabeella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, 381 Elden Street, Room 4700, Herndon, VA 22070

Phone: 703 787-1600

**RIN:** 1010-AC04

#### 1803. • LEASE EXTENSIONS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 4331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule will change the regulations governing extension of lease terms in response to current economic conditions, potential delays in scheduling of drilling activities, and the increased use of three-dimensional seismic to supplement drilling activity. The changes would give more flexibility to lessees.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/96	
NPRM Comment Period End	04/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, 381 Elden Street, Room 4720, Herndon, VA 22070-4817  
Phone: 703 787-1607

**RIN:** 1010-AC07

## DEPARTMENT OF THE INTERIOR (DOI)

## Final Rule Stage

## Minerals Management Service (MMS)

#### 1804. AMENDMENTS TO 30 CFR 250.67—HYDROGEN SULFIDE

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1334

**CFR Citation:** 30 CFR 250.67

**Legal Deadline:** None

**Abstract:** This rule will revise the requirements for warning systems, personnel protection, hydrogen sulfide (H<sub>2</sub>S) and sulphur dioxide (SO<sub>2</sub>) detection and monitoring. A recent equipment failure at an H<sub>2</sub>S gas facility resulted in the flaring of gas containing high concentrations of H<sub>2</sub>S, which resulted in the risk of exposure to high concentrations of H<sub>2</sub>S and the discharge of large volumes of SO<sub>2</sub>. As

a result of this incident, the current regulations are being revised to adequately address the flaring of gas containing H<sub>2</sub>S. Since the revisions are extensive, the rule is being repropounded.

**Timetable:**

Action	Date	FR Cite
NPRM	08/15/90	55 FR 33326
NPRM Comment Period End	10/15/90	55 FR 33326
NPRM	05/11/95	60 FR 25178
NPRM Comment Period End	07/10/95	
Final Action	09/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, Mail Stop 4700, 381 Elden Street, Herndon, VA 22070  
Phone: 703 787-1607

**RIN:** 1010-AB50

#### 1805. CREDIT ADJUSTMENTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq



## DOI—MMS

## Final Rule Stage

**CFR Citation:** 30 CFR 218**Legal Deadline:** None

**Abstract:** Section 10 of the Outer Continental Shelf Lands Act (OCSLA), 43 USC 1339, requires that a lessee or payor under an offshore lease submit a request to Minerals Management Service (MMS) for recoupment or refund of an overpayment (credit adjustment) within 2 years of the date of the original payment. However, current law does not provide for a time limitation on credit adjustments under onshore Federal or Indian leases similar to that provided in the OCSLA. This rule would add a new provision entitled "Limitations on Credit Adjustments" which would restrict credit adjustments without prior authorization to payments due within 5 years before the date of the adjustments. The rule provides that MMS could authorize credit adjustments with respect to payments made more than 5 years but less than 10 years before the date of the adjustments. However, credit adjustments with respect to any payment made more than 10 years before the date of the adjustment would be prohibited.

The Debt Collection Act of 1982 (DCA), 31 USC 3716, allows Federal agencies to collect outstanding claims by administrative offset. The DCA instructs each agency to prescribe regulations before collecting a claim by administrative offset, of royalties, interest, or other amounts due under Federal and Indian oil, gas, and other mineral leases.

**Timetable:**

Action	Date	FR Cite
NPRM	08/17/93	58 FR 43588
NPRM Comment Period End	11/01/93	58 FR 50301
Final Action	05/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None

**Additional Information:** This rule now includes the material formerly contained in RIN 1010-AB74.

**Agency Contact:** James W. Shaw, Associate Director for Royalty Management, Department of the

Interior, Minerals Management Service, P.O. Box 25165, MS 3000, Denver, CO 80225-0165

Phone: 303 231-3058

**RIN:** 1010-AB73**1806. RESPONSE PLANS FOR FACILITIES SEAWARD OF THE COASTLINE****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 33 USC 1321; EO 12777

**CFR Citation:** 30 CFR 250

**Legal Deadline:** Final, Statutory, August 18, 1992.

**Abstract:** Regulations are being developed to implement the authority of Minerals Management Service (MMS) under the Federal Water Pollution Control Act (FWPCA) as amended by the Oil Pollution Act of 1990. These regulations will address oil spill prevention and response in State submerged lands as well as in the Outer Continental Shelf. A nonregulatory alternative will not meet the mandate of the FWPCA as amended. The expected costs will depend on the extent to which existing practices in State and Federal waters meet the new mandated requirements. The expected benefits will be an assurance that oil spill prevention and response capability are being addressed on all facilities in both State and Federal waters.

**Timetable:**

Action	Date	FR Cite
ANPRM	08/12/92	57 FR 36032
ANPRM Comment Period End	10/28/92	
Interim Final Rule	02/08/93	58 FR 7489
NPRM	01/13/95	60 FR 3177
NPRM Comment Period End	03/14/95	
Comment Period Extended to 5/15/95	03/14/95	60 FR 13652
Final Action	12/15/95	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, Mail Stop 4700, 381 Elden Street, Herndon, VA 22070

Phone: 703 787-1607

**RIN:** 1010-AB81**1807. FLARING OR VENTING GAS AND BURNING LIQUID HYDROCARBONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1334(j)**CFR Citation:** 30 CFR 250.175**Legal Deadline:** None

**Abstract:** MMS regulations do not now address burning of liquid hydrocarbons. When the rules were written, liquid hydrocarbons were not burned and there was no need to address the subject. Economic changes, coupled with an increase in well test times and distances from shore, have caused some operators to ask to burn liquid hydrocarbons. Currently, MMS is citing its mandate to conserve resources to restrict this practice. However, to have clear regulatory backing for this policy, MMS is planning to issue a proposed rulemaking. This proposed rule will give the public the opportunity to comment on the proposed restrictions on burning liquid hydrocarbons.

**Timetable:**

Action	Date	FR Cite
NPRM	02/17/95	60 FR 9312
NPRM Comment Period End	04/18/95	
Final Action	01/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Sharon Buffington, Petroleum Engineer, Department of the Interior, Minerals Management Service, Room 4700, 381 Elden Street, Herndon, VA 22070-4817

Phone: 703 787-1147

**RIN:** 1010-AB96

**DEPARTMENT OF THE INTERIOR (DOI)**  
**Minerals Management Service (MMS)**
**Long-Term Actions****1808. PAYOR RESPONSIBILITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq**CFR Citation:** 30 CFR 211**Legal Deadline:** None

**Abstract:** Responsibilities of Minerals Management Service include the collection of royalties, bonuses, rentals, and related revenues from Federal and Indian mineral leases. These monies are, for the most part, collected from the current designated payor on the lease. However, if MMS is unable to collect from the current payor, it must pursue collections from a prior payor(s), the lessee, or an assignee of the lease. Existing regulations are unclear as to the responsibilities and liabilities of the parties involved. Therefore, MMS is proposing to amend its regulations to clarify payor, lessee, and assignee requirements and responsibilities.

**Timetable:**

Action	Date	FR Cite
NPRM	04/13/94	59 FR 17504
NPRM	06/09/95	60 FR 30492
Comment Period Extended to 1/8/96	08/30/95	60 FR 45112

Next Action Undetermined

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, P.O. Box 25165, MS 3000, Denver, CO 80225-0165  
Phone: 303 231-3058

**RIN:** 1010-AB45
**1809. SAFETY REQUIREMENTS  
GOVERNING PRODUCTION  
PLATFORMS AND PIPELINES**
**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** The development of this rule resulted from the recommendation of a task force that examined many contributing causes to recent fatal accidents in the North Sea and the Gulf of Mexico. The task force identified areas where changes in regulations should be considered. This action considers changes to the regulations concerning better communication among personnel, protection of pipeline risers, safe fuel storage, and requirements of shutdown valves on depositing pipelines.

**Timetable:**

Action	Date	FR Cite
ANPRM	07/23/90	55 FR 29860
ANPRM Comment Period End	09/21/90	
NPRM	05/16/94	59 FR 25377
NPRM Comment Period End	07/15/94	

Next Action Undetermined

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, Mail Stop 4700, 381 Elden Street, Herndon, VA 22070  
Phone: 703 787-1607

**RIN:** 1010-AB52
**1810. VALUATION OF OIL AND GAS  
FROM INDIAN LEASES**
**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 206**Legal Deadline:** None

**Abstract:** The rule will amend the regulations governing the valuation of gas produced from Indian leases. The primary purpose of these amendments is to ensure that Indian mineral lessors

receive maximum revenues from mineral resources on their land consistent with the Department's trust responsibility and lease terms.

**Timetable:**

Action	Date	FR Cite
ANPRM	08/04/94	59 FR 39712
ANPRM Comment Period End	10/03/94	

Next Action Undetermined

**Small Entities Affected:** None**Government Levels Affected:** None

**Additional Information:** This rule is being developed using the negotiated rulemaking process which will include representatives of MMS, Indian tribes, States, and industry. Notice of public meetings will be published in the Federal Register.

**Agency Contact:** James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, P.O. Box 25165, MS 3000, Denver, CO 80225-0165  
Phone: 303 231-3058

**RIN:** 1010-AB57
**1811. GAS MEASUREMENT AND  
COMMINGLING**
**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1334; 30 USC 1711**CFR Citation:** 30 CFR 250.181; 30 CFR 250.182; 30 CFR 250.184**Legal Deadline:** None

**Abstract:** This rule would amend and update regulations applicable to gas measurement, add a provision to an existing regulation that would clarify conditions under which surface commingling of gas would be approved, and add a new section to require measurement or estimation of gas volumes used on the leases or otherwise not saved for sale.

**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** Federal

**Agency Contact:** John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, Room 4700, 381 Elden Street, Herndon, VA 22070-4817  
Phone: 703 787-1607

**RIN:** 1010-AB97

## DOI—MMS

## Long-Term Actions

**1812. ROYALTIES, RENTALS, BONUSES, AND OTHER MONIES****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 25 USC 396; 25 USC 2101; 25 USC 181; 25 USC 351; 25 USC 1701; 25 USC 9701; 25 USC 1301; 25 USC 1331; 25 USC 1801**CFR Citation:** 30 CFR 218**Legal Deadline:** None**Abstract:** This rule implements changes in Treasury regulations that require agencies to use electronic collection and deposit of funds when cost effective, practical, and consistent with statutory authority. The rule will simplify industry's payments to MMS in compliance with the new Treasury requirements.**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** State, Tribal**Agency Contact:** James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, P.O. Box 25165, MS 3000, Denver, CO 80225-0165  
Phone: 303 231-3058**RIN:** 1010-AC01**1813. ALLOWANCES FOR TRANSPORTATION AND PROCESSING COSTS ASSOCIATED WITH GAS VALUATION****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 5 USC 301; 25 USC 396; 25 USC 2101; 25 USC 181; 25 USC

351; 25 USC 1001; 25 USC 1701; 25 USC 9701; 25 USC 1301; 25 USC 1331; 25 USC 1801

**CFR Citation:** 30 CFR 206**Legal Deadline:** None**Abstract:** This rule amends the regulations governing valuation for royalty purposes of gas produced from Federal and Indian leases. It primarily addresses allowances for transportation of gas. The amendments would clarify the methods by which gas royalties and deductions for gas transportation are calculated. The rule will also clarify changes required by Federal Energy Regulatory Commission Order 636 which has caused significant changes in the natural gas transportation industry.**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** State, Tribal**Agency Contact:** James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, P.O. Box 25165, Room 3000, Denver, CO 80225-0165  
Phone: 303 231-3058**RIN:** 1010-AC06**1814. • RELEASE OF THIRD PARTY PROPRIETARY INFORMATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 30 USC 181 et seq; 31 USC 9701; 43 USC 1301 et seq**CFR Citation:** 30 CFR 243**Legal Deadline:** None**Abstract:** This revision will allow MMS to provide appellants with documents containing proprietary information upon which assessments are based and which third parties furnished to MMS. This rule addresses only situations where MMS provides documents in administrative appeal. It does not address MMS providing any other type of document outside the administrative appeals process.**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, PO Box 25165, Room 3000, Denver, CO 80225-0165  
Phone: 303 231-3058**RIN:** 1010-AC08**1815. • VALUATION OF OIL FROM FEDERAL AND INDIAN MINERAL LEASES****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 25 USC 396 et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq**CFR Citation:** 30 CFR 206**Legal Deadline:** None**Abstract:** This rule will improve oil valuation and reporting procedures to reflect current oil selling arrangements in the oil and gas industry.**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** State, Tribal**Agency Contact:** James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, PO Box 25165, Room 3000, Denver, CO 80225-0165  
Phone: 303 231-3780**RIN:** 1010-AC09**BILLING CODE** 4310-MR-F

**DEPARTMENT OF THE INTERIOR (DOI)**  
**Office of Surface Mining Reclamation and Enforcement (OSMRE)**
**Proposed Rule Stage****1816. DEFINITION AND CRITERIA FOR VALID EXISTING RIGHTS****Priority:** Other Significant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 740; 30 CFR 745; 30 CFR 761; 30 CFR 772**Legal Deadline:** None

**Abstract:** This rule will amend the portions of the permanent program which address the circumstances which constitute valid existing rights to mine coal in areas where Congress has otherwise prohibited mining under section 522(e) of the Surface Mining Control and Reclamation Act of 1977. This revision is in response to a court decision in round III of the litigation on OSM's permanent program regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	07/18/91	56 FR 33152
NPRM Comment Period End	09/16/91	
Reproposal Anticipated	01/00/96	

**Small Entities Affected:** None**Government Levels Affected:** Federal

**Agency Contact:** Dennis Rice, Rules and Legislation Staff, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Washington, DC 20240

Phone: 202 208-2829

**RIN:** 1029-AB42**1817. BASIS FOR COAL WEIGHT DETERMINATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 870**Legal Deadline:** None

**Abstract:** Some processors purchase raw coal from operators on an estimated clean coal basis. The Office of Surface Mining Reclamation and Enforcement's rules require reclamation fee payment on the actual gross weight of the clean or raw coal at the time of sale, transfer or use. Records required to document the basis of a coal sale are not clearly defined. Legislative changes provide OSM the authority to audit coal preparation plants, tipples and loading facilities. Records a person operating a coal preparation plant must maintain on

coal purchases are not specified in regulation. A person operating a preparation plant is not liable for fee payment on coal sales that exceed purchases. This rule would allow an operator who sells coal to a processor, who actually cleans the coal, to pay fees on the same basis on which the operator is paid by the processor. The person who operates a coal preparation plant would be liable for reclamation fee payment on all coal sold that exceeds coal purchased. Records to be maintained to document the basis for coal sales would be defined in regulation.

**Timetable:**

Action	Date	FR Cite
NPRM	12/29/92	57 FR 62116
NPRM Comment Period End	03/01/93	
Comment Period Extended	01/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Jane R. Robinson, Program Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Washington, DC 20240

Phone: 202 208-2738

**RIN:** 1029-AB68**1818. COAL MOISTURE****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 870**Legal Deadline:** None

**Abstract:** This rule adds specific criteria an operator must use in determining an excess moisture allowance claimed under 30 CFR 870.12. These criteria will codify technical guidance contained in AML Payer Letters issued since June 1988. The rule will identify acceptable methods and procedures for estimating total and inherent moisture contained in low rank coal. The criteria are based upon OSM experience and industry practices.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Jane Robinson, Program Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Room 225 MIB, Washington, DC 20240  
Phone: 202 208-2738

**RIN:** 1029-AB78**1819. PROHIBITIONS UNDER SECTION 522(E) OF SMCRA****Priority:** Other Significant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 761**Legal Deadline:** None

**Abstract:** This rule will clarify the applicability of section 522 (e) of SMCRA to subsidence resulting from underground coal mining. Section 522 (e) prohibits surface coal mining operations in certain areas designated by Congress, subject to existing rights.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Nancy Broderick, Office of Title V Policy, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Washington, DC 20240

Phone: 202 208-2564

**RIN:** 1029-AB82**1820. • INDIAN LANDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 25 CFR 200; 30 CFR 700**Legal Deadline:** None

**Abstract:** This rule will amend regulations to allow OSM to contract to the Navajo and Hopi Tribes certain functions relating to permitting, mine plan review, bonding, and other functions authorized by the Indian land provisions of SMCRA. The rule is being proposed pursuant to a settlement agreement.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/96	

**Small Entities Affected:** None**Government Levels Affected:** Tribal

## DOI—OSMRE

## Proposed Rule Stage

**Agency Contact:** Andrew DeVito,  
Rules and Legislation Staff, Department  
of the Interior, Office of Surface Mining

Reclamation and Enforcement, 1951  
Constitution Avenue NW., Washington,  
DC 20240

Phone: 202 208-2617

**RIN:** 1029-AB83

## DEPARTMENT OF THE INTERIOR (DOI)

## Final Rule Stage

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

**1821. APPLICANT/VIOLATOR SYSTEM PERMIT INFORMATION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 701; 30 CFR 773; 30 CFR 774; 30 CFR 778; 30 CFR 843

**Legal Deadline:** None

**Abstract:** The Office of Surface Mining Reclamation and Enforcement proposes to establish new regulations and amend existing provisions to clarify the role of the Applicant/Violator System (AVS) in the permit application process; amend the definitions of ownership and control and of transfer, assignment or sale of permit right; establish procedures for successor in interest; revise requirements for information to be submitted as part of the permit application process; and eliminate certain civil penalties as a basis for a permit block for owners and controllers of violators.

**Timetable:**

Action	Date	FR Cite
NPRM	06/28/93	58 FR 34652
NPRM Comment Period End	10/12/93	
Final Action	02/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** Stephen Sheffield, Chief, Applicant/Violator System, Office, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Room 7424 MIB, Washington, DC 20240

Phone: 202 208-4655

**RIN:** 1029-AB62

**1822. COAL REMINING**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 701; 30 CFR 773; 30 CFR 785; 30 CFR 816; 30 CFR 817

**Legal Deadline:** None

**Abstract:** These rules will enable permittee operations which encounter an unanticipated event resulting in a violation to obtain new permits. The authority for this would exist from October 24, 1992, through September 30, 2004. The rules will also shorten the period of liability for revegetation from 5 years to 2 in the east and midwest and from 10 years to 5 in the arid west for remining sites. The rules will ensure that remining sites do not lose their abandoned mine land eligibility. The rules are required to implement section 2503 of the Energy Policy Act of 1992.

**Timetable:**

Action	Date	FR Cite
NPRM	06/02/94	59 FR 28744
NPRM Comment Period End	08/01/94	
Final Action	01/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** Doug Growitz, Hydrologist, Department of the Interior, Office of Surface Mining Reclamation

and Enforcement, 1951 Constitution Ave. NW., Washington, DC 20240  
Phone: 202 208-2561

**RIN:** 1029-AB74

**1823. NOTIFICATION AND PERMIT PROCESSING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1201

**CFR Citation:** 30 CFR 773

**Legal Deadline:** None

**Abstract:** This rule would: (1) require that written findings be provided to all parties in an informal conference held during the permitting process regardless of the decision of the Regulatory Authority and (2) increase the protection afforded private landowners with property within the permit area of approved mining and reclamation permits. Preliminary information indicates that the rule may increase the costs of operations to the coal industry in certain states while protecting the property values of private homeowners.

**Timetable:**

Action	Date	FR Cite
NPRM	10/26/94	59 FR 53884
NPRM Comment Period End	02/27/95	59 FR 66287
Final Action	01/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Scott Boyce, Environmental Protection Specialist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240  
Phone: 202 208-2971

**RIN:** 1029-AB80

**DEPARTMENT OF THE INTERIOR (DOI)****Long-Term Actions****Office of Surface Mining Reclamation and Enforcement (OSMRE)****1824. ABANDONED COAL REFUSE SITES****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 30 USC 1201**CFR Citation:** 30 CFR 785; 30 CFR 829; 30 CFR 830; 30 CFR 845; 30 CFR 870**Legal Deadline:** NPRM, Statutory, October 24, 1993.**Abstract:** OSM will propose new regulations governing permitting and performance standards for on-site processing of abandoned coal refuse piles and operations for removal of abandoned coal refuse piles. The rules are required to implement Section 2503(e) of the Energy Policy Act of 1992.**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Camille Sellers, Program Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240

Phone: 202 208-2714

**RIN:** 1029-AB70**1825. DEFINITION OF COAL****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 700.5; 30 CFR 870**Legal Deadline:** None**Abstract:** This rule would define coal to mean combustible carbonaceous rock composed principally of consolidated and chemically altered plant remains.

The rule would place all definitions related to coal in 30 CFR 700.5 and use the American Society for Testing and Materials ranking system to define different ranks of coal.

**Timetable:**

Action	Date	FR Cite
NPRM	10/07/93	58 FR 52374
NPRM Comment	01/07/94	

Period End

Next Action Undetermined

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Doug Growitz, Hydrologist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Room 640 NC, Washington, DC 20240  
Phone: 202 208-2561**RIN:** 1029-AB75**1826. AFFECTED AREA (HAUL ROADS)****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 701**Legal Deadline:** None**Abstract:** The term "affected area" as defined in 30 CFR 701.5 excludes public roads, if, among other things, there is substantial public use. The rule was remanded by the Federal District Court because the definition excluded too broad a class of public roads. Suspension of that rule has caused confusion and left state regulatory authorities and OSM with imperfect guidance in a difficult area. Consistent with the Federal District Court ruling this rule will provide clarification and nationwide consistency concerning the extent to which public roads must be included in the affected area. There would be some increased costs to regulatory authorities and the coal

industry since certain public roads that are not now regulated will need to be incorporated into the affected area of existing permits.

**Timetable:** Next Action Undetermined**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Dan Stocker, Office of Title V Policy, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240

Phone: 202 208-2802

**RIN:** 1029-AB76**1827. CONTEMPORANEOUS RECLAMATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 816; 30 CFR 780; 30 CFR 773**Legal Deadline:** None**Abstract:** This rule will amend regulations to ensure that coal mine operators reclaim their operations in a contemporaneous manner using site-based contemporaneous standards.**Timetable:**

Action	Date	FR Cite
NPRM	11/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Dennis Hunter, Office of Technology Development, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240  
Phone: 202 343-1504**RIN:** 1029-AB79

BILLING CODE 4310-05-F

**DEPARTMENT OF THE INTERIOR (DOI)****Final Rule Stage****Bureau of Reclamation (RB)****1828. REVENUES MANAGEMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 553; 43 USC 373; 43 USC 391; 43 USC 392; 40 USC 491; 43 USC 498; 43 USC 501**CFR Citation:** 43 CFR 403**Legal Deadline:** None**Abstract:** This rule will define requirements for the crediting/disposition of revenues. The rule notifies water districts of a review of legislation, repayment contracts, and

amendments, and of current Bureau practice relating to collection and crediting/disposition. The rule also states that inappropriate direct crediting of revenues was discontinued effective January 1, 1994. Since the Bureau does not have the option to

## DOI—RB

## Final Rule Stage

dispose of revenues other than as required by law, the intent of this review is to ensure that revenue crediting follows the requirements of law.

**Timetable:**

Action	Date	FR Cite
NPRM	09/12/94	59 FR 46801
NPRM Comment Period End	01/13/95	59 FR 58808
Final Action	01/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Alonzo D. Knapp, Manager, Reclamation Law, Contracts, and Repayment Office, Department of the Interior, Bureau of Reclamation, P.O. Box 25007, Denver, CO 80225-0007  
Phone: 303 236-1061

**RIN:** 1006-AA30

**1829. ACREAGE LIMITATION AND WATER CONSERVATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 5 USC 553; 16 USC 590z-11; 16 USC 590y et seq; 5 USC 553; 43 USC 390-544

**CFR Citation:** 43 CFR 426; 43 CFR 427

**Legal Deadline:** NPRM, Judicial, March 10, 1995. Final, Judicial, November 15, 1995.

Deadlines were established in a contract settlement contract. On the basis of this contract, the Federal District Court vacated its previous order on this rulemaking.

**Abstract:** A lawsuit settlement contract, signed in September 1993, requires the Bureau of Reclamation to propose new regulations implementing the Reclamation Reform Act of 1982 on a westwide basis. The contract also requires the Bureau to prepare and EIS considering the impact of the proposed regulation and alternatives. The contract specifies that the proposed

rules and draft EIS be published by December 1, 1994, and the final rules and EIS be published by August 1, 1995. These dates have been extended by the litigants to March 10, 1995, and November 15, 1995.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/06/93	58 FR 64336
NPRM	06/26/95	60 FR 16922
Final Action	01/00/96	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** Local, Federal

**Agency Contact:** Rusty Schuster, Westwide Settlement Manager, Department of the Interior, Bureau of Reclamation, P.O. Box 25007, Mail Code D-5010, Denver, CO 80225-0007  
Phone: 303 236-9336

**RIN:** 1006-AA32

## DEPARTMENT OF THE INTERIOR (DOI)

## Long-Term Actions

## Bureau of Reclamation (RB)

**1830. REGULATIONS FOR ADMINISTERING ENTITLEMENTS TO COLORADO RIVER WATER IN THE LOWER COLORADO RIVER BASIN**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 617; 43 USC 391; 43 USC 485; 43 USC 390

**CFR Citation:** 43 CFR 415

**Legal Deadline:** None

**Abstract:** Colorado River water has been apportioned for consumptive use among water users with valid water rights within the States of Arizona, California, and Nevada. This rule would amend current rules for apportioning water from the lower Colorado River basin. The principal data analyzed prior to writing the rule were the records of diversions, return flow, and consumptive use of Colorado River water. Reclamation is obligated to prepare and maintain records of this information pursuant to a 1964 decree by the U.S. Supreme Court in *Arizona v. California*. Reclamation determined what information is necessary and obtained approval from Office of Management and Budget for the collection of this information. Reclamation also reviewed each lower

basin State's water use and projected future use and concluded that a failure by the United States to take action to eliminate diversion of water by illegal diverters would harm legal entitlement holders. Thus, the initial purpose of the rule was to establish a method to eliminate illegal diversion of Colorado River water.

The Lower Colorado Region began compiling a mailing list of known and potentially interested parties when the rule was in preliminary draft stage. The draft rule has been distributed to water users and all then-known and potentially interested parties on three occasions: May 1991, December 1992, and May 1994. The region held a series of public meetings at nine locations in Arizona, Nevada, and California from June 14-30, 1994. Advance notice of the meetings was sent to all known and potentially interested parties. The list of parties includes both traditional and nontraditional constituents. These meetings were held to tell the public why the rule is needed, summarize the major provisions, and explain how they would be able to review and comment on it when the rulemaking process advances to the stage of a proposed rule.

Reclamation will expand the outreach program during the public comment period that may be extended to 6 months. A series of public hearings on the rule will be held during the public comment period and Reclamation will meet with interested water districts, cities, other water users, or public interest groups.

As a result of the outreach, Reclamation has broadened its perspective to take other interests into consideration. For example, Reclamation has agreed to do a programmatic environmental impact statement, rather than a less extensive environmental assessment, on the effect of the draft rule. Portions of the draft rule, such as criteria for water conservation plans, will be reviewed and may be revised to accommodate specific needs of water users. Provisions such as nonuse of entitlements and the leasing, marketing and banking of saved water are being reevaluated based on comments from the lower basin States, water users, and environmental interests.

Reclamation is committed to fulfilling the Secretary's obligations as water master of the lower Colorado River but will keep a flexible approach in the

## DOI—RB

## Long-Term Actions

rulemaking process and seek to obtain a consensus among the lower basin States to the extent possible.

**Timetable:**

Action	Date	FR Cite
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ANPRM	04/22/91	56 FR 16291
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Next Action Undetermined

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** Dale Ensminger, Repayment Specialist, Department of the Interior, Bureau of Reclamation, P.O. Box 61470, Attn: LC-4443, Boulder City, NV 89006-1470  
Phone: 702 293-8659

**RIN:** 1006-AA24

### 1831. CENTRAL VALLEY PROJECT OF CALIFORNIA—PURPOSES, USES, AND ALLOCATION OF WATER SUPPLIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 551; 5 USC 553

**CFR Citation:** 43 CFR 432; 50 CFR 1

**Legal Deadline:** None

**Abstract:** The rule will address water for fish and wildlife, water conservation standards, water transfers, land retirement, tiered pricing, renewal of long-term contracts, and implementation of the restoration fund created by the Central Valley Improvement Act. This rule is being developed jointly by the Bureau of Reclamation and the Fish and Wildlife Service.

**Timetable:**

Action	Date	FR Cite
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ANPRM	08/02/94	59 FR 39316
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ANPRM Comment Period End	02/01/95	59 FR 67265
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Next Action Undetermined

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Frank Dimick, Assistant Regional Director, Department of the Interior, Bureau of Reclamation, 2800 Cottage Way, Sacramento, CA 95825-1898  
Phone: 916 979-2204

**RIN:** 1006-AA34

## DEPARTMENT OF THE INTERIOR (DOI)

## Completed Actions

## Bureau of Reclamation (RB)

### 1832. ACREAGE LIMITATION ADMINISTRATIVE FEES

**Priority:** Other Significant

**CFR Citation:** 43 CFR 426

**Completed:**

Reason	Date	FR Cite
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Final Action	02/23/95	60 FR 10030
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Final Action Effective	03/27/95	
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**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Alonzo Knapp  
Phone: 303 236-1061

**RIN:** 1006-AA33

### 1833. AUTHORIZED USE OF RECLAMATION PROJECT WATER

**Priority:** Other Significant

**CFR Citation:** 43 CFR 425

**Completed:**

Reason	Date	FR Cite
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Withdrawn	08/23/95	
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**Small Entities Affected:** Organizations

**Government Levels Affected:** None

**Agency Contact:** Curtis Brown  
Phone: 303 236-3289

**RIN:** 1006-AA35

BILLING CODE 4310-09-F

## DEPARTMENT OF THE INTERIOR (DOI)

## Proposed Rule Stage

## Bureau of Land Management (BLM)

### 1834. SALES OF FOREST PRODUCTS; GENERAL—PREPARATION FOR SALE

**Priority:** Other Significant

**Legal Authority:** 16 USC 617

**CFR Citation:** 43 CFR 5400; 43 CFR 5420

**Legal Deadline:** None

**Abstract:** This rule will implement the Forest Resources Conservation and Shortage Relief Act of 1990 by prohibiting the export of unprocessed timber from western Federal timber lands and direct and indirect substitution for such timber.

**Timetable:**

Action	Date	FR Cite
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NPRM	12/00/95	
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**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Bob Bierer, Forester, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-7757

**RIN:** 1004-AB34

### 1835. MANAGEMENT OF DESIGNATED WILDERNESS AREA

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1701 et seq; 16 USC 1131 et seq

**CFR Citation:** 43 CFR 8560

**Legal Deadline:** None

**Abstract:** This rule will amend the existing regulations to remove obsolete provisions, clarify and simplify the regulations, and add provisions on access to inholdings, rights-of-way, use of mechanized equipment by certain individuals, access by Native Americans.

**Timetable:**

Action	Date	FR Cite
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NPRM	12/00/95	
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**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Rob Hellie, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240



## DOI—BLM

## Proposed Rule Stage

Phone: 202 653-9183

RIN: 1004-AB69

**1836. SALES—FEDERAL LAND POLICY AND MANAGEMENT ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1701; 43 USC 1713**CFR Citation:** 43 CFR 2710**Legal Deadline:** None**Abstract:** This rule will amend 43 CFR part 2710 to provide for improved administration of sales of public land under the Federal Land Policy and Management Act.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Jim Paugh, Realty Specialist, Department of the Interior, Bureau of Land Management, 2515 Warren Ave., P.O. Box 1828, Cheyenne, WY 82003

Phone: 307 775-6306

RIN: 1004-AB77

**1837. ONSHORE OIL AND GAS OPERATIONS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 30 USC 181 et seq; 30 USC 351 to 359; 30 USC 301 to 306; 25 USC 396 et seq; 43 USC 1457; 30 USC 1701 et seq; 25 USC 2102 et seq**CFR Citation:** 43 CFR 3160**Legal Deadline:** None**Abstract:** This rule will clarify the responsibilities of the Bureau of Land Management for lands administered by the Forest Service under the Federal Onshore Oil and Gas Leasing Reform Act of 1987, providing the BLM is responsible only for Applications for Permit to Drill, related subsurface impacts, and related appeals.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Erick Kaarlela, Leader, Compliance Team, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-0340

RIN: 1004-AC09

**1838. TRAMROADS AND LOGGING ROADS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 43 USC 1732; 43 USC 1733; 43 USC 1740; 43 USC 1761 to 1771; 43 USC 1181a to 1181b**CFR Citation:** 43 CFR 2810**Legal Deadline:** None**Abstract:** The rule will amend the regulations implementing title V of the Federal Land Policy and Management Act of 1976 with respect to tramroads and logging roads over the Oregon and California Railroad lands and Coos Bay Wagon Road lands. It will reflect current administrative requirements, facilitate environmental protection, and provide standards for recreational use.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/95	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** John Styduhar, Realty Specialist, Department of the Interior, Bureau of Land Management, BLM Oregon State Office, P.O. Box 2965, 1300 N.E. 44th, Portland, OR 97208-2965

Phone: 503 952-6454

RIN: 1004-AC24

**1839. COALBED METHANE DEVELOPMENT****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 13368**CFR Citation:** 43 CFR 3170**Legal Deadline:** Final, Statutory, October 24, 1995.**Abstract:** The rule will implement section 1339 of the Energy Policy Act of 1992. It will prevent conflicts in ownership of coalbed methane from impeding development of that resource by requiring pooling of development and payment of the proceeds into an escrow account until the ownership issue is resolved by a State entity of competent Jurisdiction. The rule will also allow States to avoid the Federal regulations by promulgating their own regulations that substantially comply with Federal requirements.**Timetable:**

Action	Date	FR Cite
NPRM	09/15/95	60 FR 47920
NPRM Comment Period End	11/14/95	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Federal**Agency Contact:** David R. Stewart, Assistant Deputy State Director for Mineral Resources, Department of the Interior, Bureau of Land Management, BLM Eastern States, 7450 Boston Boulevard, Springfield, VA 22153  
Phone: 703 440-1728

RIN: 1004-AC27

**1840. LAW ENFORCEMENT—CRIMINAL****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 43 USC 1701 et seq; 16 USC 668(a); 16 USC 670; 16 USC 707; 16 USC 1538(a); 16 USC 1540; 16 USC 3370(d)**CFR Citation:** 43 CFR 9260**Legal Deadline:** None**Abstract:** This rule will update and combine into one subpart the law enforcement regulations of several different programs of the Bureau of Land Management.

## DOI—BLM

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Dennis McLane, Chief Ranger, Division of Law Enforcement and Resource, Department of the Interior, Bureau of Land Management, 3905 Vista Avenue, Boise, ID 83705  
Phone: 208 387-5127

**RIN:** 1004-AC30**1841. • VISITOR SERVICES****Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 8360**Legal Deadline:** None

**Abstract:** This rule will remove these regulations, which will be replaced by revised part 9260--Consolidated Prohibited Acts.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Ian Senio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4256  
Fax: 202 208-3800  
Email: Internet !WO140@attmail.com

**RIN:** 1004-AC42**1842. • MANAGEMENT AREAS; DESIGNATED NATIONAL AREA****Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 8350**Legal Deadline:** None

**Abstract:** This rule will remove obsolete material, move portions to part

9260--Consolidate Prohibited Acts, and simplify the remainder and convert it to Plain English.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Annetta Cheek, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4256  
Fax: 202 208-3800  
Email: Internet !WO140@attmail.com

**RIN:** 1004-AC43**1843. • FIRE MANAGEMENT****Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 9210**Legal Deadline:** None

**Abstract:** This rule will move prohibited acts provisions to part 9260--Consolidated Prohibited Acts.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Annetta Cheek, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420)  
Phone: 202 208-4256  
Fax: 202 208-3800  
Email: Internet !WO140@attmail.com

**RIN:** 1004-AC44**1844. • NATURAL HISTORY RESOURCE MANAGEMENT; PROCEDURES****Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 8200**Legal Deadline:** None

**Abstract:** This rule will put these regulations into Plain English, move portions to non-regulatory policy, and remove prohibited acts to part 9260--Consolidated Prohibited Acts.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Ian Senio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW.  
Phone: 202 208-4256  
Fax: 202 208-3800  
Email: Internet !WO140@attmail.com

**RIN:** 1004-AC45**1845. • TRESPASS****Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 9230**Legal Deadline:** None

**Abstract:** This rule will move prohibited acts provisions to part 9260--Consolidated Prohibited Acts.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Ian Senio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240  
Phone: 202 028-4256

## DOI—BLM

## Proposed Rule Stage

Fax: 202 208-3800  
Email: Internet !WO140@attmail.com

RIN: 1004-AC46

**1846. • PUBLIC LAND ORDERS**

**Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR app

**Legal Deadline:** None

**Abstract:** This rule will remove the Appendix listing all public land orders. This seldom-used list can be found in past issues of the Code of Federal Regulations and supplemented by annual indexes of the Federal Register.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Edna Taylor, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240

Phone: 202 028-4256

Fax: 202 208-3800

Email: Internet !WO140@attmail.com

RIN: 1004-AC47

**1847. • MANAGEMENT OF SOLID MINERALS OTHER THAN COAL**

**Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 3500

**Legal Deadline:** None

**Abstract:** This rule will remove repetitive introductory material and combine the common provisions of the series of regulations of leasing of specific non-coal minerals.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Edna Taylor, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4256

Fax: 202 208-3800

Email: Internet !WO140@attmail.com

RIN: 1004-AC49

**1848. • RECREATION MANAGEMENT; PROCEDURES; GENERAL**

**Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 8300

**Legal Deadline:** None

**Abstract:** This rule will remove this part, which is merely another policy provision on recreation, and which will be handled through policy statements.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Edna Taylor, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4256

Fax: 202 208-3800

Email: Internet !WO140@attmail.com

RIN: 1004-AC50

**1849. • RECREATION PROGRAMS**

**Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 8000

**Legal Deadline:** None

**Abstract:** This rule will remove this part, which is merely a policy provision on recreation, and which will be handled through policy statements.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Edna Taylor, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240

Phone: 202 028-4256

Fax: 202 028-3800

Email: Internet !WO140@attmail.com

RIN: 1004-AC51

**1850. • VISUAL RESOURCE MANAGEMENT**

**Priority:** Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 8400

**Legal Deadline:** None

**Abstract:** This rule will remove this part, which consists solely of a heading with no regulatory content.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Edna Taylor, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4256

Fax: 202 028-3800

Email: Internet !WO 140@attmail.com

RIN: 1004-AC52

## DOI—BLM

## Proposed Rule Stage

**1851. • SPECIAL AREAS; STATE IRRIGATION DISTRICTS****Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 2780**Legal Deadline:** None**Abstract:** This rule will remove the establishment and operation of State irrigation districts from the regulations and relocate necessary provisions in the BLM Manual.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Ian Senio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW.  
Phone: 202 208-4256  
Fax: 202 208-3800  
Email: Internet !WO140@attmail.com**RIN:** 1004-AC53**1852. • OIL AND GAS LEASING; FEES, RENTALS, AND ROYALTY****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 3100**Legal Deadline:** None**Abstract:** This rule will adjust royalty requirements to encourage production of economically marginal fluid minerals.**Timetable:**

Action	Date	FR Cite
NPRM	01/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Erick Kaarlela, Compliance Team Leader, Department of the Interior, Bureau of Land Management, 1849 C Street NW.  
Phone: 202 452-0340**RIN:** 1004-AC54**1853. • MINERALS MANAGEMENT****Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 3000**Legal Deadline:** None**Abstract:** This rule will reinvent the introductory regulations of minerals management by possibly relocating certain definitions.**Timetable:**

Action	Date	FR Cite
NPRM	02/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Chuck Hunt, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4256  
Fax: 202 208-3800  
Email: Internet !WO140@attmail.com**RIN:** 1004-AC55**1854. • DESERT LAND ENTRIES****Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 2520**Legal Deadline:** None**Abstract:** This rule will transfer much of the regulation on entries of desert land to the BLM Manual if the underlying statute is not repealed as no longer practical.**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Chuck Hunt, Regulatory Analyst, Department of the

Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4256

Fax: 202 208-3800

Email: Internet !WO140@attmail.com

**RIN:** 1004-AC56**1855. • ONSHORE OIL AND GAS GEOPHYSICAL EXPLORATION****Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 3150**Legal Deadline:** None**Abstract:** This rule will add cost recovery provisions to the regulations on onshore geophysical exploration for oil and gas.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Chuck Hunt, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4256  
Fax: 202 208-3800  
Email: Internet !WO140@attmail.com**RIN:** 1004-AC57**1856. • STATE EXCHANGES; NATIONAL PARK SYSTEM EXCHANGES WILDLIFE REFUGE EXCHANGES; MISCELLANEOUS EXCHANGES****Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 2210; 43 CFR 2240; 43 CFR 2250; 43 CFR 2270**Legal Deadline:** None

## DOI—BLM

## Proposed Rule Stage

**Abstract:** This rule will remove these subparts, which are merely cross-references to the basic exchange regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4256  
Fax: 202 028-3800

Email: Internet !WO140@attmail.com

**RIN:** 1004-AC58

**1857. • BODIE BOWL, CALIFORNIA: SURFACE MANAGEMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 108 Stat. 4771 and 4509

**CFR Citation:** 43 CFR 3826

**Legal Deadline:** Final, Statutory, April 30, 1995.

**Abstract:** This proposed rule would implement the provisions of title X of the Act of October 31, 1994, entitled the Bodie Protection Act of 1994. This rule will protect an historic mining district by setting out procedures for

operating mining claims and sites pursuant to ?

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4256  
Fax: 202 208-3800  
Email: !WO140@attmail.com

**RIN:** 1004-AC60

## DEPARTMENT OF THE INTERIOR (DOI)

## Final Rule Stage

## Bureau of Land Management (BLM)

**1858. ONSHORE OIL AND GAS OPERATIONS; SPECIAL PROVISIONS; ONSHORE OIL AND GAS ORDER NO. 5—MEASUREMENT OF GAS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 181 et seq; 30 USC 351 to 359; 30 USC 301 to 306; 25 USC 396 to 399; 43 USC 1457; 40 USC 471 et seq; 42 USC 4321; 42 USC 6508; 30 USC 1701 et seq; 25 USC 2102

**CFR Citation:** 43 CFR 3164.1

**Legal Deadline:** None

**Abstract:** This rule will amend Onshore Oil and Gas Order No. 5 on Measurement of Gas to provide clarifications of recordkeeping and orifice meter standards, and to provide for approval by the jurisdictional Bureau of Land Management State Office of gas measurement by electronic flow computers, using an orifice, that calculate volume using equations specified by the American Gas Association Committee Report No.3.

**Timetable:**

Action	Date	FR Cite
NPRM	01/06/94	59 FR 718
NPRM Comment Period Extended	04/18/94	59 FR 12570
NPRM Comment Period End	07/08/94	59 FR 29407
Final Action	04/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Erick Kaarlela, Leader, Compliance Team, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-0340

**RIN:** 1004-AB22

**1859. LEASES, PERMITS, AND EASEMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1732; 43 USC 1740

**CFR Citation:** 43 CFR 2920

**Legal Deadline:** None

**Abstract:** This rule will amend the existing regulations to provide for improved administration of Leases, Permits and Easements under the Federal Land Policy and Management Act.

**Timetable:**

Action	Date	FR Cite
NPRM	11/21/90	55 FR 48810
NPRM Comment Period End	01/22/91	55 FR 48810
Second NPRM	02/09/95	60 FR 7878
Second NPRM Comment Period End	04/10/95	60 FR 7878
Final Action	01/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** This rule is being repropounded in part. Complete final rule will be published upon consideration of public comments on partially repropounded rule.

**Agency Contact:** Vanessa Engle, Realty Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-7776

**RIN:** 1004-AB51

**1860. PUBLIC AVAILABILITY OF MINERAL RESOURCES INFORMATION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 552

**CFR Citation:** 43 CFR 3000

**Legal Deadline:** None

**Abstract:** This rule will remove conflicts between existing mineral regulations relating to public availability of mineral resources information and the Freedom of Information Act. The rule will also remove discrepancies among the

## DOI—BLM

## Final Rule Stage

various mineral regulations regarding public release of information.

**Timetable:**

Action	Date	FR Cite
NPRM	05/31/91	56 FR 24767
NPRM Comment	07/31/91	56 FR 24767
Period End		
Final Action	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Marilyn Legnini, FOIA Coordinator, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-5001

**RIN:** 1004-AB55

**1861. ADMINISTRATION OF RIGHTS-OF-WAY**

**Priority:** Other Significant

**Legal Authority:** 43 USC 1761 to 1771

**CFR Citation:** 43 CFR 2803

**Legal Deadline:** None

**Abstract:** The rule will establish a schedule for fair market rental for communication use rights-of-way under the Federal Land Policy and Management Act. The schedule will help reduce administrative costs related to appraisals and protests and appeals.

**Timetable:**

Action	Date	FR Cite
NPRM	07/12/94	59 FR 35596
NPRM Comment	09/12/94	59 FR 35596
Period End		
Final Action	12/00/95	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** David Cavanaugh, Realty Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-7780

**RIN:** 1004-AC12

**1862. LOGICAL MINING UNITS: GENERAL; LMU APPLICATION PROCEDURES; LMU APPROVAL CRITERIA; LMU DILIGENCE; ADMINISTRATION OF LMU OPERATIONS**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 30 USC 201 et seq

**CFR Citation:** 43 CFR 3400

**Legal Deadline:** None

**Abstract:** The rule will amend the regulations dealing with coal logical mining units (LMUs) to improve procedures for review of applications and administration of operations. The rule will place a greater emphasis on stewardship of the Federal coal resources and will be designed to ensure that coal resources are developed in a legal, efficient, economical and orderly manner with due regard for the conservation of coal reserves and other resources within the concept of ecosystem management. The rule will resolve the question whether LMU diligent development requirements can be substituted for statutory lease-specific diligent development requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	12/28/94	59 FR 66874
NPRM Comment	02/27/95	59 FR 66874
Period End		
Final Action	04/00/96	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Bill LeSage, Mining Engineer, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-0350

**RIN:** 1004-AC15

**1863. WAIVER, SUSPENSION, OR REDUCTION OF RENTAL, ROYALTY, OR MINIMUM ROYALTY**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 30 USC 181 et seq; 30 USC 351 to 359; 30 USC 1701 et seq

**CFR Citation:** 43 CFR 3103.4-1

**Legal Deadline:** None

**Abstract:** This rule will encourage the continuing operation of wells that

produce heavy oil by providing a system by which the operators of such wells may qualify for a royalty rate reduction.

**Timetable:**

Action	Date	FR Cite
NPRM	03/30/95	60 FR 16424
NPRM Comment	07/17/95	60 FR 31663
Period End		
Final Action	02/00/96	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Dr. John Bebout, Senior Geologist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-0340

**RIN:** 1004-AC26

**1864. ONSHORE OIL AND GAS ORDER NO. 8, WELL WORKOVERS, COMPLETIONS, AND ABANDONMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 189; 30 USC 359; 30 USC 301; 25 USC 396

**CFR Citation:** 43 CFR 3160

**Legal Deadline:** None

**Abstract:** This rule will establish Order No. 8 to set forth the minimum performance standards when conducting completion, workover, or abandonment operations on oil and gas wells on Federal and Indian (except Osage) lands.

**Timetable:**

Action	Date	FR Cite
NPRM	05/06/91	56 FR 20568
NPRM Comment	07/26/91	56 FR 20568
Period End		
Final Action	12/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Erick Kaarlela, Leader, Compliance Team, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-0340

**RIN:** 1004-AC33

## DOI—BLM

## Final Rule Stage

**1865. FIRE MANAGEMENT****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 43 USC 315a et seq; 43 USC 1740**CFR Citation:** 43 CFR 9240**Legal Deadline:** None**Abstract:** This rule will make emergency rehabilitation project decisions exempt from administrative appeal to minimize unnecessary delay in repairing damage caused by fire and other natural disasters, and avoiding erosion and other adverse impacts on public lands resulting from natural disasters.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/95	

**Small Entities Affected:** Undetermined**Government Levels Affected:** State, Local**Agency Contact:** Dr. Robert Clark, State Fire Management Officer (Idaho), Department of the Interior, Bureau of Land Management, 3380 Americana Terrace, Boise, Idaho 83706-2544  
Phone: 208 384-3090**RIN:** 1004-AC36**1866. COAL MANAGEMENT****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 30 USC 181 et seq**CFR Citation:** 43 CFR 3400**Legal Deadline:** None**Abstract:** This rule will amend the exploration and mining operations regulations, as well as other operations-related regulations, to streamline them and to have them reflect current policy and standard industry operating practices relating to Federal coal.**Timetable:**

Action	Date	FR Cite
NPRM	07/12/91	56 FR 32002

Action	Date	FR Cite
NPRM Comment Period End	10/10/91	56 FR 32002
Final Action	04/00/96	

**Small Entities Affected:** None**Government Levels Affected:** None  
**Agency Contact:** Bill LeSage, Mining Engineer, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-0350**RIN:** 1004-AC37**1867. PUBLIC LAW 167; ACT OF JULY 23, 1955 (MINING CLAIM USE AND OCCUPANCY)****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 22 et seq; 30 USC 612; 43 USC 1701 et seq**CFR Citation:** 43 CFR 3710**Legal Deadline:** None**Abstract:** This rule will enumerate the restrictions on use and occupancy of unpatented mining claims and mill sites on public lands.**Timetable:**

Action	Date	FR Cite
NPRM	09/11/92	57 FR 41846
NPRM Comment Period End	11/10/92	57 FR 41846
Final Action	11/00/95	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Richard Deery, Geologist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-0350**RIN:** 1004-AC39**1868. MINING CLAIMS UNDER THE GENERAL MINING LAWS (BONDING)****Priority:** Other Significant**Legal Authority:** 30 USC 22 et seq; 43 USC 1201; 43 USC 1734; 43 USC 1740; 43 USC 1744**CFR Citation:** 43 CFR 3809**Legal Deadline:** None**Abstract:** This rule will require submission of financial guarantees for reclamation for all mining operations greater than casual use, create additional financial instruments for this purpose, and require operators with a

record of noncompliance to file plans of operations.

**Timetable:**

Action	Date	FR Cite
NPRM	07/11/91	56 FR 31602
NPRM Comment Period End	09/09/91	56 FR 31602
Final Action	12/00/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Richard Deery, Geologist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-0350**RIN:** 1004-AC40**1869. • APPLICATION PROCEDURES: EXECUTION AND FILING OF FORMS****Priority:** Other**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 1820; 43 CFR 1821**Legal Deadline:** None**Abstract:** This rule is an administrative final rule that will update the list of addresses of the State Offices of the Bureau of Land Management to reflect office relocations. The rule will be published from time to time as necessary when offices move.**Timetable:**

Action	Date	FR Cite
Final Action	10/00/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4256

Fax: 202 208-3800

Email: Internet !WO140@attmail.com

**RIN:** 1004-AC41**1870. • PROTECTION AND PRESERVATION OF NATURAL VALUES****Priority:** Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

## DOI—BLM

## Final Rule Stage

**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 6220**Legal Deadline:** None**Abstract:** This administrative final rule will remove a relic paragraph with no regulatory content.**Timetable:**

Action	Date	FR Cite
Final Action	01/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Edna Taylor, Management Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4256

Fax: 202 208-3800

Email: Internet !WO140@attmail.com

**RIN:** 1004-AC48**1871. • DISPOSAL OF RESERVED MINERALS UNDER THE STOCK RAISING HOMESTEAD ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 299**CFR Citation:** 43 CFR 3814**Legal Deadline:** Final, Statutory, October 13, 1993.**Abstract:** This interim final rule will establish new procedures for mineral exploration and development under the General Mining Law of 1872 on lands where the surface was patented under the Stock Raising Homestead Act of

1916 and the mineral estate remains reserved to the Federal Government.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/00/96	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management, Regulatory Management Team, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4256

Fax: 202 208-3800

Email: !WO140@attmail.com

**RIN:** 1004-AC59

## DEPARTMENT OF THE INTERIOR (DOI)

## Completed Actions

## Bureau of Land Management (BLM)

**1872. SALES OF FOREST PRODUCTS; LAW ENFORCEMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 5460; 43 CFR 5510; 43 CFR 9230; 43 CFR 9260**Completed:**

Reason	Date	FR Cite
Final Action	09/29/95	60 FR 50448
Final Action Effective	10/30/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Bob Bierer  
Phone: 202 452-7757**RIN:** 1004-AB97

BILLING CODE 4310-84-F

## DEPARTMENT OF THE INTERIOR (DOI)

## Proposed Rule Stage

## Office of the Secretary (OS)

**1873. TRANSPORTATION AND UTILITY SYSTEMS IN AND ACROSS, AND ACCESS INTO, CONSERVATION SYSTEM UNITS IN ALASKA****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 668dd et seq; 16 USC 3101 et seq; 43 USC 1201**CFR Citation:** 43 CFR 36**Legal Deadline:** NPRM, Judicial, April 30, 1995.**Abstract:** This rule will revise regulations implementing the provisions of Title IX of the Alaska National Interest Lands Conservation Act (ANILCA). The regulations concern transportation and utility systems (TUS) in Alaska when any portion of the route of the TUS will be within any conservation system unit, national recreation area, or national conservation area. The regulations detail the procedures that must be followed to obtain Federal approval needed for a TUS. In addition, the regulations address special access, temporary access, and access to inholdings.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/95	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Russell Wilson, Paralegal, Department of the Interior, Office of the Secretary, Alaska Regional Office, 2525 Gambell Street, Anchorage, AK 99503  
Phone: 907 257-2641**RIN:** 1093-AA07

[FR Doc. 95-23613 Filed 11-24-95; 8:45 am]

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